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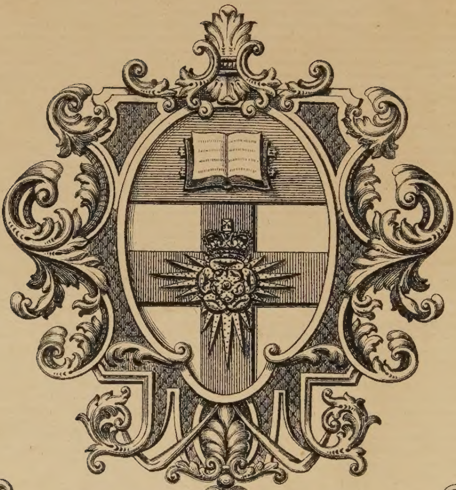

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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

32° VICTORIÆ, 1868-9.

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THE TENTH DAY OF DECEMBER 1868,

TO

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First Volume of the Session.

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Motion *agreed to* :—Bill for the Preservation of Sea Birds, *ordered* (*Mr. Sykes, Mr. Clay, Mr. Ward Jackson.*)

Law of Evidence Bill—

Motion for Leave (*Mr. Denman*) 406

Motion *agreed to* :—Bill for the further amendment of the Law of Evidence, *ordered* (*Mr. Denman, Mr. Locke King, Mr. Locke*); *presented*, and read the first time [Bill 25.]

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LORDS, MONDAY, MARCH 1.

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[House adjourned.]

COMMONS, MONDAY, MARCH 1.

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ECCLESIASTICAL TITLES ACT REPEAL BILL—Question, Mr. Walpole; Answer, Mr. MacEvoy 412

Established Church (Ireland) Bill—

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Established Church (Ireland) Bill—continued.

After long debate,

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to put an end to the Establishment of the Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth,—(*Mr. Gladstone.*)

Resolution *reported*:—Bill *ordered* (*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 27.]

Controverted Elections—Certificates and Reports from the Judges relating to the Elections for the Wick Burghs and Boroughs of Bridgwater, Bodmin, Penryn, and Coventry, *reported* 470

Sale of Liquors on Sunday (Ireland) Bill—*Ordered* (*Mr. O'Reilly, Mr. Pim, Mr. Peel Dawson*); *presented*, and read the first time [Bill 29] 470

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Brazilian Slave Trade Bill (No. 14)—

Moved, "That the Bill be now read 2^a,"—(*The Earl of Clarendon*) 471

After short debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

Common Law Courts Ireland Bill (No. 19)—

Moved, "That the Bill be now read 2^a,"—(*Lord Dufferin*) .. 481

After short debate, Motion *agreed to*:—Bill read 2^a, and *committed* to a Committee of the Whole House on *Tuesday* next.

COMMONS, TUESDAY, MARCH 2.

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Ireland—The Living of Valentia—Question, Sir Thomas Bateson; Answer, Mr. Gladstone 482

Cardinal Cullen and the Privy Council of Ireland — Question, Sir Thomas Bateson; Answer, Mr. Chichester Fortescue 483

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Navy—Royal Naval Reserve—Question, Mr. Hanbury-Tracy; Answer, Mr. Childers 484

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India—The Recent Accident at the Bhore Ghaut—Question, Sir Stafford Northcote; Answer, Mr. Grant Duff 485

Poor Relief Assessment—Question, Mr. Gourley; Answer, Mr. Goschen 485

Metropolis—Hyde Park—Question, Mr. W. Cowper; Answer, Mr. Layard 485

Metropolis—Victoria Park—Question, Mr. C. Reed; Answer, Mr. Layard 486

Navy—Australian Preserved Meats—Question, Mr. Lusk; Answer, Mr. Childers 487

ECCLESIASTICAL TITLES ACT REPEAL BILL—Question, Mr. Newdegate; Answer, Mr. MacEvoy 488

INDIA—THE GARRISON OF KOHAT—Question, Mr. Wyllie; Answer, Mr. Grant Duff 488

DEPARTMENT OF AGRICULTURE—*Moved*,

"That a Select Committee be appointed to inquire into the action with reference to Agriculture of various Public Authorities, with a view to consider the expediency of recommending that some one Department be made responsible for dealing with administrative and legislative questions affecting Agriculture,"—(*Mr. Acland.*) 488

After debate, Motion, by leave, *withdrawn.*

Representation of the People Act (1867) Amendment Bill—

Motion for Leave (*Mr. H. B. Sheridan*) 510

After short debate, Motion *agreed to*:—Bill to amend "The Representation of the People Act, 1867," *ordered* (*Mr. Henry B. Sheridan, Mr. Gourley.*)

POOR LAW (SCOTLAND)—*Moved*,

"That a Select Committee be appointed to inquire into the operation of the Poor Law in Scotland; and whether any and what amendments should be made therein,"—(*Mr. Craufurd.*) 513

After debate, Motion *agreed to*:—Select Committee *appointed*:—And, on March 17, Committee *nominated*:—List of the Committee .. 533

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Game Laws (Scotland) Bill—

Motion for Leave (*Mr. M'Lagan*) 534

After short debate, Motion *agreed to*:—Bill to amend the Game Laws of Scotland, *ordered* (*Mr. M'Lagan, Mr. Fordyce, Mr. Orr Ewing*); *presented*, and read the first time [Bill 32.]

SUPPLY—REPORT—Resolution [Feb. 26] *reported* 536

After short debate, Resolution *agreed to*

Burials Regulation Bill—

Acts read; *considered* in Committee 540

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law which regulates the Burial of Persons in England not belonging to the Established Church,—(*Mr. Hadfield.*)

Resolution *reported*:—Bill *ordered* (*Mr. Hadfield, Mr. Charles Reed, Mr. Henry Richard, Mr. Candlish*); *presented*, and read the first time [Bill 33.]

COMMONS, WEDNESDAY, MARCH 3.

Bayswater Market and Baths Bill (*by Order*)—

Moved, "That the Bill be now read a second time" 540

After short debate, Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Thomas Chambers*:)—Question, "That the word 'now' stand part of the Question," put, and *negatived*:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Metropolitan Street Tramways Bill (*by Order*)—

Moved, "That the Bill be now read a second time" 542

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Pease*:)—After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 209, Noes 78; Majority 131:—Main Question put, and *agreed to*:—Bill read a second time, and *committed.*

PARLIAMENT—THE EASTER RECESS—Observations, Mr. Ayrton .. 556

ASSESSED RATES BILL—Question, Sir Michael Hicks-Beach; Answer, Mr. Ayrton 556

Sunday Trading Bill [Bill 5]—

Moved, "That the Bill be now read a second time,"—(*Mr. Thomas Hughes*) 557

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Taylor*:)—After short debate, Question proposed, "That the word 'now' stand part of the Question:"—Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Election Expenses Bill [Bill 7]—

Moved, "That the Bill be now read a second time,"—(*Mr. Fawcett*) .. 563

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Floyer*:)—After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 165, Noes 168; Majority 3:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

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Life Insurance Companies Bill—

Motion for Leave (*Mr. Stephen Cave*) 585

After short debate, Motion *agreed to*:—Bill to amend the Law relating to Life Insurance Companies, *ordered* (*Mr. Stephen Cave, Mr. Bazley, Mr. Russell Gurney*); *presented*, and read the first time [Bill 35.]

Game Laws (Scotland) (No. 2) Bill—

Motion for Leave (*Lord Elcho*) 586

After short debate, Motion *agreed to*:—Bill to amend the Game Laws in Scotland, *ordered* (*Lord Elcho, Sir Graham Montgomery*); *presented*, and read the first time [Bill 36.]

General Valuation, &c. (Ireland)—

Select Committee *appointed*, "to inquire into the constitution and management of the department of the general Valuation of Ireland, the cost of the Townland and Tenement Valuation, and all matters connected with the annual revision thereof,"—(*Colonel French*) 587

And, on April 5, Committee *nominated*

Lands Clauses Consolidation Act Amendment Bill—*Ordered* (*Mr. Bazley, Mr. Jacob Bright, Mr. Graves, Mr. Baines, Mr. Dixon, Mr. Hibbert*); *presented*, and read the first time [Bill 34] 587

LORDS, THURSDAY, MARCH 4.

Parliamentary Proceedings Bill (No. 7)—

Moved, "That the Bill be now read 2ª,"—(*The Marquess of Salisbury*) .. 588

After debate, Motion *agreed to*:—Bill read 2ª accordingly, and committed to a Committee of the Whole House on *Thursday* next.

Brazilian Slave Trade Bill (No. 14)—

Order of the Day for the House to be put into a Committee on the said Bill, read 620

After short debate, House in Committee accordingly; Bill *reported* without Amendment; and to be read 3ª *To-morrow.*

COMMONS, THURSDAY, MARCH 4.

Army—The War Office and Horse Guards—Question, Mr. White; Answer, Mr. Cardwell 625

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Cattle Traffic—Carriage of Live Stock—Question, Sir Robert Anstruther; Answer, Mr. W. E. Forster 630

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Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

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Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Abyssinian Expedition—Supplementary Vote—*Considered* in Committee (In the Committee) 641

Motion made, and Question proposed,

"That a sum, not exceeding £3,600,000, be granted to Her Majesty, towards defraying the Expenses of the Expedition to Abyssinia, beyond the ordinary Grants of Parliament for Army and Navy Services,"—(*The Chancellor of the Exchequer.*)

After short debate, Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Sir Patrick O'Brien*) 646

After further short debate, Motion, by leave, *withdrawn*:—Original Question put, and *agreed to.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

Parliamentary and Municipal Elections—*Moved,*

That a Select Committee be *appointed,* "to inquire into the present modes of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom,"—(*Mr. Secretary Bruce*) .. 648

After short debate, Motion *agreed to*:—And, on March 16, Committee *nominated*:—List of the Committee 663

Bewdley Writ—*Moved,*

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Bewdley, in the room of Sir Richard Atwood Glass, whose Election has been determined to be void,"—(*Mr. Noel*) 663

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Writ for the Borough of Bewdley be suspended for twelve months,"—(*Mr. Muntz,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 128, Noes 65; Majority 63:—Main Question put, and *agreed to.*

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Contagious Diseases (Animals) (No. 2) Bill—

Acts read; *considered* in Committee;—After short debate .. 672

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate, amend, and make perpetual the Acts for preventing the introduction or spreading of Contagious or Infectious Diseases among Cattle and other Animals in Great Britain,—(*Mr. Dodson.*)

Resolution *reported:*—Bill *ordered* (*Mr. Dodson, Mr. William Edward Forster, Mr. Secretary Bruce*); *presented,* and read the first time [Bill 38.]

Pharmacy Act (1868) Amendment Bill—

Act read; *considered* in Committee;—After short debate 683

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Pharmacy Act, 1868,"—(*Lord Robert Montagu.*)

Resolution *reported:*—Bill *ordered* (*Lord Robert Montagu, Sir Graham Montgomery*); *presented,* and read the first time [Bill 37.]

LORDS, FRIDAY, MARCH 5.

APPROPRIATION OF PROPERTY—

Moved, That there be laid before this House, a return of all Acts of Parliament whereby property belonging to any person, corporation, or trust has been taken from such person, corporation, or trust without their consent, and without securing to them full compensation for the property so taken, or without offence being charged against such person, corporation, or trust justifying such confiscation,—(*The Lord Redesdale*) .. 684

An Amendment *moved* to leave out from ("consent") to the end of the Motion, and insert ("together with the reasons stated in such Acts for the appropriation of such property,"—(*The Earl Granville.*)

After short debate, Amendment and original Motion *withdrawn.*

Habitual Criminals Bill (No. 18)—

Moved, "That the Bill be now read 2^{a},"—(*The Earl of Kimberley*) .. 691

After debate, Motion *agreed to:*—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday,* the 15*th Instant.*

Ecclesiastical Dilapidations Bill [H.L.]—*Presented* (*The Lord Archbishop of York*); read 1^{a} (No. 25) 715

Clergy Discipline and Ecclesiastical Courts Bill [H.L.]—*Presented* (*The Lord Archbishop of Canterbury*); read 1^{a} (No. 26) 715

COMMONS, FRIDAY, MARCH 5.

POST OFFICE—AMERICAN MAIL CONTRACTS—Question, Mr. Bazley; Answer, The Marquess of Hartington 716

NAVY—GREENWICH HOSPITAL—Question, Mr. Pease; Answer, Mr. Childers 717

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

FALSE WEIGHTS AND MEASURES AND ADULTERATION—
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that Her Majesty's Government should give their earliest attention to the widespread and most reprehensible practices of using False Weights and Measures and of adulterating Food, Drink, and Drugs, with the view of amending the Law as regards the penalties now inflicted for those offences, and of providing more efficient means for the discovery and prevention of fraud,"—(*Lord Eustace Cecil,*)—instead thereof 718

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

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Accidents in the Cardiff Docks—Observations, Mr. Candlish; Reply, Colonel Stuart, Mr. Bruce 738

Ireland—Under Secretary to the Lord Lieutenant—Appointment of Sir E. R. Wetherall—Question, Observations, Colonel Greville-Nugent; Reply, Mr. Chichester Fortescue:—Short debate thereon .. 744

Election Petition Judgments—Observations, Mr. Vernon Harcourt; Reply, The Attorney General 759

Collection of Taxes—Question, Mr. Charles Forster; Answer, The Chancellor of the Exchequer 766

Imprisonment for Debt—Case of John Kenn—Question, Observations, Mr. Collins; Reply, Mr. Bruce 768

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Deficiencies—*considered* in Committee 770

(In the Committee.)

(1.) £6,989, 0*s*. 6*d*., to make good Excess on Grant for Post Office Packet Service:—After short debate, Vote *agreed to.*

(2.) £400,894 7*s*. 4*d*., to make good Excesses on Grants for certain Civil Services:—After short debate, Vote *agreed to.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

Supply—The Abyssinian Expedition—

Resolution [March 4] *reported* 773

Moved, "That the Resolution be *agreed to:*"—After short debate, Resolution *agreed to.*

Court of Common Pleas (County Palatine of Lancaster) Bill [Bill 26]—

Moved, "That the Bill be now read a second time,"—(*Mr. West*) .. 774

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* 5th April.

Sea Birds Preservation Bill [Bill 28]—

Moved, "That the Bill be now read a second time,"—(*Mr. C. Sykes*) .. 775

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Tuesday* next.

Bankruptcy Bill—

Motion for Leave (*Mr. Attorney General*) 776

After debate, Motion *agreed to*:—Bill to consolidate and amend the Law of Bankruptcy, *ordered* (*Mr. Attorney General, Mr. Solicitor General.*)

Drogheda Writ—

Moved, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Drogheda, in the room of Benjamin Whitworth, Esquire, whose Election has been determined to be void,"—(*Mr. Glyn*) 797

After short debate, Motion *agreed to.*

LORDS, MONDAY, MARCH 8.

Easter Holydays—Notice—Hudson's Bay Territory—Question, Lord Cairns; Answer, Earl Granville 798

Parliamentary Proceedings Bill—Question, The Marquess of Salisbury; Answer, Earl Granville:—Short debate thereon 799

Oriel College, Oxford, Bill—

Moved, "That the Bill be now read 2ª" 800

After short debate, Motion *agreed to*:—Bill read 2ª accordingly.

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PUBLIC EDUCATION IN ENGLAND, IRELAND, AND SCOTLAND—Observations, Earl Russell :—Debate thereon 805

Brazilian Slave Trade Bill (No. 14)—
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(1.) 63,300 Men and Boys.
After long debate, Vote *agreed to*.
(2.) £2,762,353, Wages to Seamen and Marines
(3.) £1,172,268, Victuals and Clothing 932
After short debate, Vote *agreed to*.
(4.) £366,545 5*s*. 6*d*., Excess of Naval Expenditure, 1867-68.
Resolutions to be reported *To-morrow*; Committee to sit again upon *Wednesday*.

Municipal Corporations (Metropolis) Bill—*Ordered* (*Mr. Buxton, Mr. Thomas Hughes*); *presented*, and read the first time [Bill 39] .. 932

Corporation of London Bill—*Ordered* (*Mr. Buxton, Mr. Thomas Hughes*); *presented*, and read the first time [Bill 40] .. 932

LORDS, TUESDAY, MARCH 9.

Lord Napier's Annuity Bill (No. 15)—

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Missionaries in China—Question, Observations, The Duke of Somerset; Reply, Earl Granville:—Short debate thereon .. 933

Crime (Ireland)—*Moved*,

"That an humble Address be presented to Her Majesty for, Copies of the correspondence between the Irish Government and the stipendiary magistrate of Tipperary upon the aid to be given to the landlord of Ballycohey to enable him to serve certain notices upon his tenants, and upon the subsequent placing and the speedy withdrawal of extra police upon the townland of Ballycohey; also of any correspondence between the Government and the lieutenant and the magistrates of the county of Tipperary on the same subject: Also, to move for, Copies of the returns of crime furnished to the Judge of Assize by the constabulary of each county in Ireland, and of the criminal calendar of each such Assize,"—(*The Marquess of Clanricarde*) .. 946

After short debate, Motion *withdrawn*.

COMMONS, TUESDAY, MARCH 9.

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Parliament—The Easter Recess—Question, Mr. Hadfield; Answer, Mr. Gladstone .. 955

Real Estate Intestacy Bill—

Motion for Leave (*Mr. Locke King*) .. 956

After short debate, Motion *agreed to*:—Bill for the better settling the Real Estates of Intestates, *ordered* (*Mr. Locke King, Mr. Bouverie, Mr. Hinde Palmer, Mr. Headlam.*)

Registration of Voters—*Moved*,

"That a Select Committee be appointed, to inquire into the Laws affecting the Registration of persons entitled to vote in the Election of Members to serve in Parliament for Boroughs in England and Wales, and to report whether any and what amendments are required therein,"—(*Mr. Harcourt*) .. 970

After short debate, Motion *agreed to*:—And, on March 19, Committee *nominated*:—List of the Committee .. 984

Representative Peers (Scotland and Ireland) Bill—

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After short debate, Motion *agreed to*:—Bill to alter the mode of electing Representative Peers in Scotland and Ireland, and to enable the Crown to summon such Scotch and Irish Peers as may not be Representative Peers to sit in Parliament for life, *ordered* (*Mr. Stapleton, Colonel French, Colonel Stepney*); *presented*, and read the first time [Bill 41.]

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Sale of Liquors on Sunday (Ireland) Bill [Bill 29]—

Moved, "That the Bill be now read a second time,"—(*Mr. O'Reilly*) .. 989

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Murphy*:)—Question proposed, "That the word 'now' stand part of the Question."

After short debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 26th May.

Marine Mutiny Bill—*Ordered* (*Mr. Dodson, Mr. Childers, Mr. Ayrton*); *presented,* and read the first time 995

COMMONS, WEDNESDAY, MARCH 10.

Contagious Diseases (Animals) Bill [Bill 1]—

Moved, "That the Bill be now read a second time,"—(*Lord Robert Montagu*) 996

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Headlam.*)

After short debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 197, Noes 253; Majority 56:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

University Tests Bill [Bill 15]—

Moved, "That the Bill be now read a second time,"—(*Mr. Solicitor General*) 1041

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Mowbray*:)—Question proposed, "That the word 'now' stand part of the Question."

After short debate, Debate *adjourned* till *To-morrow.*

Inclosure Awards (County Palatine of Durham) Bill—*Ordered* (*Mr. Bentinck, Sir Roundell Palmer, Mr. William Lowther*); *presented,* and read the first time [Bill 44] 1054

LORDS, THURSDAY, MARCH 11.

PRIVATE BILLS—On Motion of *The Chairman of Committees* it was ordered—

"That the time limited by the order of the 25th of February last for the reception of petitions for Private Bills be extended to the first sitting day after the recess at Easter" 1054

Governor General of India Bill (No. 16)—

Moved, "That the Bill be now read 2^a,"—(*The Duke of Argyll*) .. 1055

After debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the *5th of April.*

TITHE RENT-CHARGES (IRELAND)—Motion for,

"Return of all tithe rent-charges sold in the Encumbered and the Landed Estates Courts, Ireland, specifying in each case,

"1. Date of sale: 2. Amount of rent-charge: 3. Whence accruing: 4. Price for which sold: 5. How many times the amount of each rent-charge the price is equal to,"—(*The Earl of Limerick*) 1081

After short debate, Motion *agreed to.*

SALMON FISHERIES (SCOTLAND)—Address for,

"Return of the rent or value of the stake or bag-net fishings in Scotland as the same appear in the valuation roll of the counties or burghs within which such fishings are situate, with their rental for each year as shown in the valuation rolls for the last ten years,"—(*Lord Abinger*) 1082

Address *agreed to.*

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Poor Law—District Medical Officers (Birmingham)—Question, Mr. Davenport; Answer, Mr. Goschen 1089

Ireland—Murder of Mr. Anketell—Question, Mr. Wingfield Verner; Answer, Mr. Chichester Fortescue 1091

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Dominion of Canada—Newfoundland—Question, Mr. Adderley; Answer, Mr. Monsell 1091

Parliament—Business of the House—Question, Mr. Fawcett; Answer, Mr. Gladstone:—Short debate thereon 1092

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Army—The Horse Guards and the War Office—
Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in order to promote greater economy and efficiency, the Departments of the Horse Guards and the War Office should be placed under the control of one responsible Minister,"—(*Mr. White,*)—instead thereof 1094

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—Army Estimates—*considered* in Committee 1111

(In the Committee.)

(1.) 127,366 Land Forces.
After long debate, Vote *agreed to.*
(2.) 1,760 Native Indian Troops.
(3.) £5,313,800, General Staff and Regimental Pay, Allowances, and Charges.
(4.) £1,185,600, Commissariat Establishment, Movement of Troops, &c.
Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

Civil Service Pensions Bill—*Ordered* (*Mr. Locke King, Mr. Russell Gurney*); *presented,* and read the first time [Bill 46] 1177

Medical Officers Superannuation (Ireland) Bill—*Ordered* (*Mr. Brady, Mr. Pim, Mr. Trant Hamilton*); *presented,* and read the first time [Bill 48] 1177

Game Laws (Scotland) (No. 3) Bill—*Ordered* (*Mr. Loch, Sir Robert Anstruther, Mr. Parker*); *presented,* and read the first time [Bill 47] 1177

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That a Select Committee be appointed to inquire into the operation of the law of Hypothec in Scotland,—(*The Earl of Airlie*) 1178

After short debate, Motion *agreed to*:—And, on March 18, Committee *nominated*:—List of the Committee 1184

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COMMONS, FRIDAY, MARCH 12.

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POOR LAW (SCOTLAND)—ASSESSMENTS—Question, Mr. Craufurd; Answer, The Lord Advocate 1188

POST OFFICE — LIFE ASSURANCES — Question, Mr. Wells; Answer, The Marquess of Hartington 1188

POST OFFICE—POSTAGE ON NEWSPAPERS—Question, Mr. Stapleton; Answer, The Marquess of Hartington 1188

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

EDUCATION IN LARGE TOWNS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the state of Education in the great Provincial Towns,"—(*Mr. Melly*,)—instead thereof 1189

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.

SCOTLAND—FAGGOT VOTES IN SCOTCH COUNTIES—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Return, in a tabulated form, from each county in Scotland showing the total number of non-resident proprietors qualified to vote for a Member of Parliament, distinguishing in separate columns the number of those whose property in such county as shown by the Valuation Roll is of less annual value than £100, £50, £20, and £14, and also those at and under £10 respectively; showing the nature of the qualification whether Fiars, Life Renters, Superiors, or Feuars; also the number of such County Voters resident within any Royal or Parliamentary Burgh within each county respectively,"—(*Mr. Craufurd*,)—instead thereof 1253

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.

MAIL PACKET CONTRACTS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Contracts entered into by the Postmaster General with Messrs. Cunard and Co. and Mr. William Inman for the conveyance of Mails from this Country to the United States be referred to a Select Committee of this House,"—(*Mr. Seely*,)—instead thereof 1281

SUPPLY—MAIL PACKET CONTRACTS—Committee—*continued.*

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Cross,*)—put, and *negatived:*—Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 86, Noes 115; Majority 29:—Words *added:*—Main Question, as amended, put, and *agreed to.*

Ordered, That the Contract entered into by the Postmaster General with Messrs. Cunard and Co. and Mr. William Inman for the conveyance of Mails from this Country to the United States be referred to a Select Committee of this House.

Select Committee to consist of Seven Members, five to be nominated by the Committee of Selection, and two to be added by the House.

And, on March 16, Mr. SEELY and Mr. GRAVES *added.* Power to send for persons, papers, and records; Five to be the quorum.

Mutiny Bill—*Ordered* (*Mr. Dodson, Mr. Secretary Cardwell, The Judge Advocate*); *presented,* and read the first time 1308

Seeds Adulteration Bill—*Ordered* (*Mr. Welby, Mr. Brand, Sir Michael Hicks-Beach, Mr. Read*); *presented,* and read the first time [Bill 49] 1308

LORDS, MONDAY, MARCH 15.

DESPATCH OF BUSINESS IN PARLIAMENT—*Moved,*

"That a Select Committee be appointed to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses,"—(*The Earl Granville*) 1309

Motion *agreed to:*—Select Committee appointed, such Committee to consist of six Lords, three to be a quorum:—List of the Committee.

And a message sent to the Commons to acquaint them that this House has appointed a committee of six Lords to join with a committee of the Commons "To consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses;" and to request that the Commons will be pleased to appoint an equal number of members to be joined with the members of this House.

Habitual Criminals Bill (No. 18)—

House in Committee (according to Order) 1309

After long time spent therein, Amendments made:—the Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended (No. 32.)

Naval Stores Bill [H.L.]—*Presented* (*The Earl of Camperdown*); read 1ª (No. 33) .. 1348

COMMONS, MONDAY, MARCH 15

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IRELAND—INFLAMMATORY SPEECHES AT LIMERICK—Question, Sir John Hay; Answer, Mr. Chichester Fortescue 1349

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IRELAND—BANKRUPTCY LAW—Question, Mr. Fitzwilliam Dick; Answer, The Attorney General for Ireland 1355

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Endowed Schools Bill [Bill 3]—
Moved, "That the Bill be now read a second time,"—(*Mr. W. E. Forster*) 1356
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee:—And, on April 1, Committee *nominated*:—List of the Committee 1415

University Tests Bill [Bill 15]—
Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Mowbray*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1415
After debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Beresford Hope*:)—The House *divided;* Ayes 75, Noes 251; Majority 176.
Question again proposed, "That the word 'now' stand part of the Question."
Moved, "That this House do now adjourn,"—(*Mr. Raikes.*)
After short debate, Motion, by leave, *withdrawn.*
After further short debate, Question, "That the word 'now' stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 5th May.

PARLIAMENT—DESPATCH OF BUSINESS IN PARLIAMENT—JOINT COMMITTEE—Observations, Mr. Gladstone 1459

Sea Fisheries (Ireland) Bill—*Ordered* (*Mr. Blake, Viscount Burke, Colonel Annesley, Mr. Kavanagh*); *presented,* and read the first time [Bill 51] 1459

LORDS, TUESDAY, MARCH 16.

Common Law Courts (Ireland) Bill (No. 9)—
House in Committee (according to Order) 1459
Amendments made:—The Report thereof to be received on *Friday* next.

COMMONS, TUESDAY, MARCH 16.

IRELAND—PROPERTY OF THE IRISH CHURCH—Question, Mr. Mellor; Answer, Mr. Gladstone 1461

LAW OF EXTRADITION—Question, Mr. M'Cullagh Torrens; Answer, Mr. Otway 1462

INDIA—BANDA AND KIRWEE BOOTY—Question, Colonel North; Answer, Mr. Grant Duff 1462

ARMY—ALLOWANCES TO TROOPS IN CHINA AND JAPAN—Question, Colonel North; Answer, Mr. Cardwell 1463

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INDIA—JHANSI PRIZE MONEY—Question, Mr. T. Chambers; Answer, Mr. Grant Duff 1466

CONTAGIOUS DISEASES (ANIMALS) (No. 2) BILL—Question, Sir James Elphinstone; Answer, Mr. W. E. Forster 1466

HAMMERSMITH BRIDGE—UNIVERSITY BOAT RACE—Question, Viscount Bury; Answer, Mr. Bruce 1467

PARLIAMENT—RULES OF DEBATE—Questions, Mr. Bentinck, Mr. Beresford Hope; Answer, Mr. Speaker 1467

PARLIAMENTARY AND MUNICIPAL ELECTIONS — SELECT COMMITTEE — THE BALLOT—

Moved, "That it be an Instruction to the Select Committee on Parliamentary and Municipal Elections, to take into consideration the various methods of taking Votes by Ballot which are at present in use in portions of the British Empire and in other Countries, together with any modifications thereof which may be suggested, and to report upon the most efficient and convenient system of Balloting,"—(*Mr. Leatham*) .. 1470

After long debate, Motion, by leave, *withdrawn.*

POST HORSE AND CARRIAGE LICENCES DUTIES—

Acts read:—*Moved,* "That this House will immediately resolve itself into a Committee to consider the said Acts,"—(*Mr. Alderman W. Lawrence*) 1523

After short debate, Motion, by leave, *withdrawn.*

INCOME TAX—*Moved,*

"That it is expedient to include in the Financial arrangements of the Government for the ensuing year the unconditional repeal of the Income Tax on trade profits and personal property of all kinds; and that any deficiency be raised by an increased tax on land and fixed property,"—(*Mr. Whalley*) 1530

After short debate, Motion, by leave, *withdrawn.*

Metropolitan Poor Act (1867) Amendment Bill—

Motion for Leave (*Mr. Goschen*) 1534

After short debate, Motion *agreed to*:—Bill to amend the Metropolitan Poor Act (1867), *ordered* (*Mr. Goschen, Mr. Arthur Peel, Mr. Ayrton*); *presented,* and read the first time [Bill 53.]

PRINT WORKS REGULATION—*Moved,*

"That, in the opinion of this House, the hours of toil of the women and children employed in Printworks ought to be assimilated to the hours of toil of the women and children employed in factories,"—(*Mr. Charley*) 1535

After short debate, Motion, by leave, *withdrawn.*

IRELAND—CITY OF DUBLIN ELECTION—Observations, Mr. Gathorne Hardy, The Attorney General for Ireland; Reply, Mr. O'Reilly .. 1542

Salmon Fisheries (Ireland) Bill—

Motion for Leave (*Mr. Attorney General for Ireland*) 1543

After short debate, Motion *agreed to*:—Bill to amend "The Salmon Fishery (Ireland) Act (1863)," and the Acts continuing the temporary provisions of the same, *ordered* (*Mr. Attorney General for Ireland, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 56.]

PARLIAMENTARY AND MUNICIPAL ELECTIONS—

Moved, "That the Select Committee on Parliamentary and Municipal Elections do consist of twenty-one Members,"—(*Mr. Bruce*) .. 1546

After short debate, Motion *agreed to*:—List of the Committee.

Party Processions (Ireland) Bill [Bill 6]—

Moved, "That the Bill be now read a second time,"—(*Mr. W. Johnston*) 1547

After short debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Stacpoole*:)—The House *divided;* Ayes 113, Noes 70; Majority 43:—Debate *adjourned* till *To-morrow.*

DESPATCH OF BUSINESS IN PARLIAMENT—JOINT COMMITTEE—
Lords' Message [15th March] *considered* 1560
Moved, "That a Select Committee of Six Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of Monday 15th March, to consider whether any facilities can be given for the Despatch of Business in Parliament, especially in regard to the relations of the two Houses,"—(*Mr. Gladstone.*)

Motion *agreed to*:—Committee *nominated*:—List of the Committee.

Turnpike Roads Bill—*Ordered* (*Mr. Whalley, Mr. Blake*); *presented,* and read the first time [Bill 52] 1560

Land Tax Commissioners' Names Bill—*Ordered* (*Mr. Ayrton, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 54] 1560

Drainage and Improvement of Lands (Ireland) Supplemental Bill—*Ordered* (*Mr. Ayrton, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 55] .. 1560

Lord Napier of Magdala [Salary] Bill—Resolution *reported,* and *agreed to*:—Bill *ordered* (*Mr. Dodson, Mr. Grant Duff, Mr. Stansfeld*); *presented,* and read the first time [Bill 57] 1561

COMMONS, WEDNESDAY, MARCH 17.

DUMFRIESSHIRE WRIT—
Resolution [15th March] reported from the Select Committee on Members holding Contracts (Sir Sydney Waterlow) read, as followeth:—"That Sir Sydney Hedley Waterlow is disqualified, under the Statute 22 Geo. 3, c. 45, from sitting and voting as a Member of this House:"—Resolution read a second time, and *agreed to*:—New Writ Issued .. 1561

County Courts Bill [Bill 9]—
Moved, "That the Bill be now read a second time,"—(*Mr. Norwood*) .. 1561
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir Francis Goldsmid*:)—Question proposed, "That the word 'now' stand part of the Question."
After short debate, Amendment and Motion, by leave, *withdrawn*:—Second Reading *deferred* till *Wednesday* 12th May.

Revenue Officers Bill [Bill 14]—
Moved, "That the Bill be now read a second time,"—(*Mr. Monk*) .. 1573
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Pease.*)
After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 88, Noes 207; Majority 119:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.

Libel Bill [Bill 17]—
Moved, "That the Bill be now read a second time,"—(*Mr. Baines*) .. 1599
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Newdegate*:)—Question proposed, "That the word 'now' stand part of the Question."
After short debate, Debate *adjourned* till *To-morrow.*

POOR LAW (SCOTLAND)—SELECT COMMITTEE—
Order read, for resuming Adjourned Debate on Question [10th March], "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members,"—(*Mr. Craufurd*:)—Question again proposed:—Debate *resumed* 1617
Motion, by leave, *withdrawn.*
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TURNPIKE ACTS CONTINUANCE—

Select Committee *appointed*, "to inquire into the Third, Fourth, Fifth, and Sixth Schedules of the annual Turnpike Acts Continuance Act, 1868, and report their opinion thereon,"—(*Mr. Gathorne Hardy*) 1617

And, on April 2, Committee *nominated*:—List of the Committee .. 1618

LORDS, THURSDAY, MARCH 18.

PRIVATE BILLS—

Standing Order No. 179. Sects. 1 and 2 suspended; and the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House, extended to the first day on which the House shall sit after the recess at Easter 1618

DESPATCH OF BUSINESS IN PARLIAMENT—JOINT COMMITTEE—

Message from the Commons that they have appointed a Select Committee of six Members to join with the Select Committee appointed by this House, "to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses."

Message to the Commons to propose that the Joint Committee on, do meet in the Painted Chamber *To-morrow*, at half past Three o'clock.

Ordered, That the Select Committee appointed by this House to join with the Select Committee appointed by the Commons on, have power to agree in the appointment of a Chairman of such Committee.

RECENT MURDERS IN IRELAND—Question, Observations, The Marquess of Clanricarde; Reply, Lord Dufferin:—Debate thereon 1618

LAW OF HYPOTHEC IN SCOTLAND—Question, The Duke of Cleveland; Answer, The Earl of Airlie 1652

Increase of the Episcopate Bill [H.L.]—*Presented* (*The Lord Lyttelton*); read 1ª (No. 34) 1652

COMMONS, THURSDAY, MARCH 18.

REVISION OF THE STATUTES—Question, Mr. Hadfield; Answer, The Attorney General 1653

ARMY—RIFLES FOR INDIA—Question, Mr. Dixon; Answer, Mr. Cardwell 1653

NAVY—NAVAL CHAPLAINS—Question, Mr. Eykyn; Answer, Mr. Childers .. 1654

INDIA—MILITARY APPOINTMENTS—Question, Mr. O'Reilly; Answer, Mr. Grant Duff 1655

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SCOTLAND—PORTPATRICK HARBOUR—Question, Sir John Hay; Answer, Mr. Ayrton 1656

MAURITIUS—REPORTED FAMINE—Question, Mr. R. Fowler; Answer, Mr. Monsell 1657

ENDOWED SCHOOLS BILL—Question, Mr. Charley; Answer, Mr. W. E. Forster 1657

IRELAND—MAYNOOTH COLLEGE—Question, Sir George Jenkinson; Answer, Mr. Gladstone 1658

IRELAND—FENIANISM—Question, Colonel Annesley; Answer, Mr. Chichester Fortescue 1659

SPAIN—THE "MERMAID"—Question, Mr. Headlam; Answer, Mr. Otway 1659

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Ireland—Fenian Speeches at Cork—Question, Colonel Stuart Knox; Answer, Mr. Chichester Fortescue 1661

Irish Church Bill [Bill 27]—

Moved, "That the Bill be now read a second time,"—(*Mr. Gladstone*) .. 1662

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Disraeli.*)

Question proposed, "That the word 'now' stand part of the Question."

After long debate, Debate *adjourned* till *To-morrow*.

Grand Jury Cess (Ireland) Bill—*Ordered* (*Mr. Stacpoole, Colonel Greville-Nugent*); *presented*, and read the first time [Bill 60] 1759

Despatch of Business in Parliament—Joint Committee—

Lords' Message *considered* 1759

Ordered, That the Select Committee appointed to join with the Committee appointed by The Lords, to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses, do meet The Lords' Committee in the Painted Chamber this day, at half after Three of the clock.

Message to The Lords to acquaint them therewith.

Ordered, That the Committee appointed to join with the Committee of The Lords have power to agree in the appointment of a Chairman of such Joint Committee.

LORDS, FRIDAY, MARCH 19.

Parochial Schools (Scotland) Bill (No. 11)—

Moved, "That the Bill be now read 2^a,"—(*The Duke of Argyll*) .. 1759

After debate, Motion *agreed to*:—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the 12*th of April*.

Despatch of Business in Parliament—Joint Committee—

Message from the Commons to acquaint this House that they have ordered that the Select Committee appointed by them to join with the Select Committee appointed by this House on, do meet the Committee of this House in the Painted Chamber this day at half past Three o'clock 1787

Select Committee on, to meet *forthwith*.

COMMONS, FRIDAY, MARCH 19.

Post Office—Electric Telegraphs—Question, Mr. Samuelson; Answer, The Marquess of Hartington 1787

Army—The 3rd West India Regiment—Question, Mr. Maguire; Answer, Mr. Cardwell 1789

Nomenclature of Diseases—Question, Mr. M'Laren; Answer, The Chancellor of the Exchequer 1789

The Fenian Conspiracy—Question, Mr. Newdegate; Answer, Mr. Monsell 1791

Irish Church Bill [Bill 27]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Disraeli*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1791

After long debate, Debate *further adjourned* till *Monday* next.

Inclosure Awards (County Palatine of Durham) Bill [Bill 44]—

Order for Second Reading read 1894

After short debate, Bill read a second time, and *committed* for *Monday* next.

Imprisonment for Debt Bill—*Ordered* (*Mr. Attorney General, Mr. Solicitor General, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 61] .. 1894

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UNIVERSITY OF DURHAM—Question, Mr. Stevenson; Answer, The Solicitor General 1897

IRELAND — NATIONAL EDUCATION — Question, Mr. Keown; Answer, Mr. Chichester Fortescue 1898

METROPOLITAN RAILWAY—PALACE YARD STATION—Question, Mr. Herbert; Answer, Mr. Layard 1898

POOR LAW—DISTRICT ASYLUMS—Question, Mr. W. H. Smith; Answer, Mr. Goschen 1899

POST OFFICE — STORNOWAY — Question, Mr. Grieve; Answer, The Marquess of Hartington 1900

POOR LAW — BIRMINGHAM BOARD OF GUARDIANS — Question, Mr. Dixon; Answer, Mr. Goschen 1901

COMMUNICATION BETWEEN RAILWAY PASSENGERS AND GUARD — Question, Mr. H. B. Sheridan; Answer, Mr. Bright 1903

IRELAND—FENIAN CONSPIRACY—Question, Colonel Annesley; Answer, Mr. Chichester Fortescue 1904

SCOTLAND—EDUCATION — Question, Sir Edward Colebrooke; Answer, The Lord Advocate 1904

INCLOSURE OF LANDS BILL — Question, Mr. T. Chambers; Answer, Mr. Knatchbull-Hugessen 1905

Irish Church Bill [Bill 27]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Disraeli*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 1906

After long debate, Debate *further adjourned* till *To-morrow.*

COMMONS, TUESDAY, MARCH 23.

EDUCATION—SCHOOLS FOR CHILDREN OF THE WORKING CLASSES—Question, Mr. Baines; Answer, Mr. W. E. Forster 1996

IRELAND—FENIAN CONVICTS—Question, Sir George Jenkinson; Answer, Mr. Chichester Fortescue 1997

IRELAND—MAYOR OF CORK—Question, Mr. Henry; Answer, Mr. Gladstone 1999

THE CADASTRAL SURVEY—Question, Sir Lawrence Palk; Answer, Mr. Cardwell 1999

BRIDGWATER ELECTION—Question, Mr. Langton; Answer, The Attorney General 2000

TRANSFER OF LAND—Question, Mr. T. Chambers; Answer, Mr. Stansfeld 2000

THE SANITARY ACTS—Question, Lord Eustace Cecil; Answer, Mr. Bruce 2000

CLERGY IN THE WEST INDIES—Question, Mr. Crum-Ewing; Answer, Mr. Monsell 2001

AGRICULTURAL STATISTICS—Question, Mr. Reed; Answer, Mr. Bright .. 2001

ARMY—THE MILITIA—THE SNIDER RIFLE—Question, Mr. Collins; Answer Mr. Cardwell 2002

[*March* 23.] *Page*

SALMON FISHERY BILL—Question, Mr. Liddell; Answer, Mr. Knatchbull-Hugessen 2003

IRELAND—RUMOURED RESIGNATION OF THE LORD LIEUTENANT—Question, Mr. Vance; Answer, Mr. Gladstone 2003

Irish Church Bill [Bill 27]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Disraeli*:)—Question again proposed, "That the word 'now' stand part of the Question:"—Debate *resumed* 2004

After long debate, Question put:—The House *divided;* Ayes 368, Noes 250; Majority 118:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday* 15th April.

Division List, Ayes and Noes 2128

LORDS.

NEW PEERS.

TUESDAY, DECEMBER 15, 1868.

The Right hon. Sir William Page Wood, Knight, Lord Chancellor of Great Britain, Baron Hatherley of Down-Hatherley in the County of Gloucester.

William Ernest Baron Feversham, Viscount Helmsley of Helmsley and Earl of Feversham of Ryedale in the North Riding of the County of York.

THURSDAY, FEBRUARY 18, 1869.

The Earl of Caithness in that part of the United Kingdom of Great Britain and Ireland called Scotland, Baron Barrogill of the United Kingdom.

TUESDAY, MARCH 2.

Edward Anthony John Viscount Gormanston in that part of the United Kingdom of Great Britain and Ireland called Ireland, Baron Gormanston of Whitewood in the County of Meath.

SAT FIRST.

THURSDAY, DECEMBER 10, 1868.

James Bishop of Hereford.

TUESDAY, DECEMBER 15.

The Earl of Abergavenny, after the Death of his Father.
The Lord Carysfort, after the Death of his Father.

THURSDAY, FEBRUARY 11, 1869.

The Lord Bishop of Derry and Raphoe.

TUESDAY, FEBRUARY 16.

Archibald Campbell Archbishop of Canterbury.
John Bishop of London.
William Connor Bishop of Peterborough.
Richard Chevenix Archbishop of Dublin.

THURSDAY, FEBRUARY 18.

The Lord Carleton, after the Death of his Father.
The Duke of Norfolk, after the Death of his Father.

REPRESENTATIVE PEER FOR IRELAND (*Writs and Returns*).

The Earl of Rosse, *v.* Henry Baron Farnham, deceased.

COMMONS.

NEW WRITS ISSUED.

TUESDAY, DECEMBER 15, 1868.

For *Greenwich*, *v.* Right Hon. William Ewart Gladstone, First Commissioner of the Treasury.
For *Oxford City*, *v.* Right Hon. Edward Cardwell, Secretary of State.
For *London University*, *v.* Right Hon. Robert Lowe, Chancellor of the Exchequer.
For *Pontefract*, *v.* Right Hon. Hugh Culling Eardley Childers, First Commissioner of the Admiralty.

[*December* 15.]

For *Birmingham, v.* Right Hon. John Bright, President of the Board of Trade.

For *London City, v.* Right Hon. George Joachim Goschen, Commissioner of Poor Law.

For *Southwark, v.* Right Hon. Austen Henry Layard, First Commissioner of Works.

For *Halifax, v.* James Stansfeld, esquire, Commissioner of the Treasury.

For *Plymouth, v.* Sir Robert Porrett Collier, knight, Attorney General.

For *Exeter, v.* Sir John Duke Coleridge, knight, Solicitor General.

For *Bradford, v.* Right Hon. William Edward Forster, Vice President of the Committee of Council for Education.

For *Ripon, v.* Lord John Hay, Commissioner of the Admiralty.

For *Truro, v.* Right Hon. John Cranch Walker Vivian, Commissioner of the Treasury.

For *Wareham, v.* John Hales Montagu Calcraft, esquire, deceased.

TUESDAY, DECEMBER 29.

For *Louth, v.* Right Hon. Chichester Samuel Parkinson Fortescue, Chief Secretary to the Lord Lieutenant of Ireland.

For *Clare, v.* Sir Colman Michael O'Loghlen, baronet, Judge Advocate General.

For *Kerry, v.* Viscount Castlerosse, Vice Chamberlain of the Household.

For *Kildare, v.* Right Hon. Otho Augustus FitzGerald, Comptroller of the Household.

For *Westmeath, v.* Algernon William Fulke Greville, esquire, Groom in Waiting.

For *Mallow, v.* Right Hon. Edward Sullivan, Attorney General for Ireland.

For *Wigtown District of Burghs, v.* George Young, esquire, Solicitor General for Scotland.

For *Clackmannan and Kinross, v.* William Patrick Adam, esquire, Commissioner of the Treasury.

For *Hawick District of Burghs, v.* George Otto Trevelyan, esquire, Commissioner of the Admiralty.

For *Derbyshire* (Southern Division), *v.* Sir Thomas Gresley, baronet, deceased.

DURING RECESS.

For *Renfrew, v.* Archibald Alexander Speirs, esquire, deceased.

WEDNESDAY, FEBRUARY 17, 1869.

For *London City, v.* Charles Bell, esquire, deceased.

THURSDAY, FEBRUARY 18.

For *New Radnor, v.* Richard Green Price, esquire, Chiltern Hundreds.

FRIDAY, FEBRUARY 19.

For *Wexford Borough, v.* Richard Joseph Devereux, esquire, void Election.

For *Westbury, v.* John Lewis Phipps, esquire, void Election.

THURSDAY, MARCH 4.

For *Bradford, v.* Henry William Ripley, esquire, void Election.

For *Bewdley, v.* Sir Richard Atwood Glass, void Election.

FRIDAY, MARCH 5.

For *Drogheda, v.* Benjamin Whitworth, esquire, void Election.

For *Scarborough, v.* Sir John Vanden Bempde Johnstone, baronet, deceased.

WEDNESDAY, MARCH 17.

For *Dumfries County, v.* Sir Sydney Hedley Waterlow, incapable of Sitting and Voting.

MONDAY, MARCH 22.

For *Hereford City*, *v.* George Clive, esquire, and John William Shaw Wyllie, esquire, void Election.

For *Blackburn*, *v.* William Henry Hornby, esquire, and Joseph Feilden, esquire, void Election.

NEW MEMBERS SWORN.

TUESDAY, DECEMBER 29, 1868.

Greenwich—Right Hon. William Ewart Gladstone.
Oxford City—Right Hon. Edward Cardwell.
Southwark—Right Hon. Austen Henry Layard.
London University—Right Hon. Robert Lowe.
Pontefract—Right Hon. Hugh Culling Eardley Childers.
Bradford—Right Hon. William Edward Forster.
Ripon—Lord John Hay.
Truro—Hon. John Cranch Walker Vivian.
London City—Right Hon. George Joachim Goschen.
Halifax—James Stansfeld, the younger, esquire.
Birmingham—Rt. Hon. John Bright (being one of the people called Quakers, made the Affirmation required by Law).

TUESDAY, FEBRUARY 16, 1869.

Exeter—Sir John Duke Coleridge.
Clackmannan and Kinross—William Patrick Adam, esquire.
Hawick District of Burghs—George Otto Trevelyan, esquire.
Kildare—Right Hon. Lord Otho Augustus FitzGerald.
Kerry—Viscount Castlerosse.
Plymouth—Sir Robert Porrett Collier.
Renfrew—Right Hon. Henry Austin Bruce.
Wigtown District of Burghs—George Young, esquire.
Louth—Right Hon. Chichester Samuel Parkinson Fortescue.
Mallow—Right Hon. Edward Sullivan.
Clare—Right Hon. Sir Colman Michael O'Loghlen, baronet.
Westmeath—Captain Algernon William Fulke Greville.
Derby County (Southern Division)—Henry Wilmot, esquire.

TUESDAY, FEBRUARY 23.

London City—Baron Lionel Nathan de Rothschild.

MONDAY, MARCH 1.

New Radnor—Marquess of Hartington.
Westbury—Charles Paul Phipps, esquire.

TUESDAY, MARCH 9.

Taunton—Henry James, esquire.

MONDAY, MARCH 15.

Bewdley—John Cunliffe Pickersgill Cunliffe, esquire.
Bradford—Edward Miall, esquire.

TUESDAY, MARCH 16.

Scarborough—Sir Harcourt Johnstone, baronet.
Wexford Borough—Richard Joseph Devereux, esquire.

THURSDAY, MARCH 18.

Drogheda—Thomas Whitworth, esquire.

BY THE QUEEN.

A PROCLAMATION,

For dissolving the present Parliament, and declaring the Calling of another.

VICTORIA R.

WHEREAS We have thought fit, by and with the Advice of Our Privy Council, to dissolve this present Parliament, which stands prorogued to *Thursday* the Twenty-sixth Day of *November* instant: We do, for that End, publish this Our Royal Proclamation, and do hereby dissolve the said Parliament accordingly: And the Lords Spiritual and Temporal, and the Knights, Citizens, and Burgesses, and the Commissioners for Shires and Burghs, of the House of Commons, are discharged from their Meeting and Attendance on the said *Thursday* the Twenty-sixth Day of *November* instant: And We, being desirous and resolved, as soon as may be, to meet Our People, and to have their Advice in Parliament, do hereby make known to all Our loving Subjects Our Royal Will and Pleasure to call a new Parliament: And do hereby further declare, that, with the Advice of Our Privy Council, We have given Order that Our Chancellor of that Part of Our United Kingdom called *Great Britain* and Our Chancellor of *Ireland* do respectively, upon Notice thereof, forthwith issue out Writs, in due Form and according to Law, for calling a new Parliament. And We do hereby also, by this Our Royal Proclamation under Our Great Seal of Our United Kingdom, require Writs forthwith to be issued accordingly by Our said Chancellors respectively, for causing the Lords Spiritual and Temporal, and Commons, who are to serve in the said Parliament, to be duly returned to, and give their Attendance in, Our said Parliament; which Writs are to be returnable on *Thursday* the Tenth Day of *December* next.

Given at Our Court at *Windsor*, this Eleventh Day of *November*, in the Year of Our Lord One thousand eight hundred and sixty-eight, and in the Thirty-second Year of Our Reign.

GOD SAVE THE QUEEN.

BY THE QUEEN.

A PROCLAMATION,

In Order to the Electing and Summoning the Sixteen Peers of Scotland.

VICTORIA R.

WHEREAS We have in Our Council thought fit to declare Our Pleasure for summoning and holding a Parliament of Our United Kingdom of *Great Britain* and *Ireland* on *Thursday* the Tenth Day of *December* next ensuing the date hereof: In order therefore to the electing and summoning the Sixteen Peers of *Scotland* who are to sit in the House of Peers in the said Parliament, We do, by the Advice of Our Privy Council, issue forth this Our Royal Proclamation, strictly charging and commanding all the Peers of *Scotland* to assemble and meet at *Holyrood House*, in *Edinburgh*, on *Thursday*, the Third Day of *December* next, between the Hours of Twelve and Two in the Afternoon, to nominate and choose the Sixteen Peers to sit and vote in the House of Peers in the said ensuing Parliament by open Election and Plurality of Voices of the Peers that shall be then present, and of the Proxies of such as shall be absent (such Proxies being Peers, and producing a Mandate in Writing duly signed before Witnesses, and both the Constituent and Proxy being qualified according to Law); and the Lord Clerk Register, or such Two of the Principal Clerks of the Session as shall be appointed by him to officiate in his Name, are hereby respectively required to attend such Meeting, and to administer the Oaths required by Law to be taken there by the said Peers, and to take their Votes, and immediately after such Election made and duly examined to certify the Names of the Sixteen Peers so elected, and to sign and attest the same in the Presence of the said Peers the Electors, and return such Certificate into Our High Court of Chancery of *Great Britain*: And We do, by this Our Royal Proclamation, strictly command and require the Provost of *Edinburgh*, and all other the Magistrates of the said City, to take especial Care to preserve the Peace thereof during the time of the said Election, and to prevent all manner of Riots, Tumults, Disorders, and Violence whatsoever: And We strictly charge and command that this Our Royal Proclamation be duly published at the Market Cross at *Edinburgh*, and in all the County Towns of *Scotland*, Ten Days at least before the Time hereby appointed for the meeting of the said Peers to proceed to such Election.

Witness Ourselves at *Windsor*, this Eleventh Day of *November*, One thousand eight hundred and sixty-eight, and in the Thirty-second Year of Our Reign.

GOD SAVE THE QUEEN.

THE MINISTRY

Of the Right Honourable BENJAMIN DISRAELI as it stood at the end of the last Parliament.

THE CABINET.

First Lord of the Treasury	Right Hon. Benjamin Disraeli.
Lord Chancellor	Right Hon. Lord Cairns.
President of the Council	His Grace the Duke of Marlborough.
Lord Privy Seal	Right Hon. Earl of Malmesbury, G.C.B.
Secretary of State, Home Department	Right Hon. Gathorne Hardy.
Secretary ot State, Foreign Department	Right Hon. Lord Stanley.
Secretary of State for Colonies	His Grace the Duke of Buckingham and Chandos, K.G.
Secretary of State for War	Right Hon. Sir John Somerset Pakington, Bt., G.C.B.
Secretary of State for India	Right Hon. Sir Stafford Henry Northcote, Bt., C.B.
Chancellor of the Exchequer	Right Hon. George Ward Hunt.
First Lord of the Admiralty	Right Hon. Henry Thomas Lowry Corry.
President of the Board of Trade	His Grace the Duke of Richmond, K.G.
Chief Commissioner of Works and Public Buildings	Right Hon. Lord John James Robert Manners.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Earl of Mayo.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Postmaster General	His Grace the Duke of Montrose, K.T.
Chancellor of the Duchy of Lancaster	Right Hon. John Wilson Patten.
Chief Commissioner of the Poor Law Board	Right Hon. Earl of Devon.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. Stephen Cave.
Vice President of the Committee of Privy Council for Education	Right Hon. Lord Robert Montagu.
Lords of the Treasury	Hon. Gerard James Noel, Henry Whitmore, Esq., and Sir Graham Graham Montgomery, Bt.
Lords of the Admiralty	Vice Admiral Sir Alexander Milne, K.C.B., Vice Admiral Sir Sydney Colpoys Dacres, K.C.B., Rear Admiral George Henry Seymour, C.B., Rear Admiral Sir John Charles Dalrymple Hay, Bt., and Charles Du Cane, Esq.
Joint Secretaries of the Treasury	Colonel Thomas Edward Taylor and George Sclater-Booth, Esq.
Secretary of the Admiralty	Lord Henry George Charles Gordon Lennox.
Secretary to the Poor Law Commissioners	Sir Michael Hicks-Beach, Bt.
Under Secretary, Home Department	Sir James Fergusson, Bt.
Under Secretary, Foreign Department	Edward Christopher Egerton, Esq.
Under Secretary for Colonies	Right Hon. Charles Bowyer Adderley.
Under Secretary for War	Right Hon. Earl of Longford, K.C.B.
Under Secretary for India	Right Hon. Lord Clinton.
Judge Advocate General	Right Hon. John Robert Mowbray.
Attorney General	Sir John Burgess Karslake, Knt.
Solicitor General	Sir William Baliol Brett, Knt.

SCOTLAND.

Lord Advocate	Right Hon. Edward Strathearn Gordon.
Solicitor General	John Millar, Esq.

IRELAND.

Lord Lieutenant	Most Hon. Marquess of Abercorn, K.G. and K.St.P.
Lord Chancellor	Right Hon. Abraham Brewster.
Chief Secretary to the Lord Lieutenant	Right Hon. Earl of Mayo.
Attorney General	Right Hon. Robert Richard Warren.
Solicitor General	Michael Harrison, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of Tankerville.
Lord Chamberlain	Right Hon. Earl of Bradford.
Master of the Horse	His Grace the Duke of Beaufort, K.G.
Treasurer of the Household	Right Hon. Percy Egerton Herbert.
Comptroller of the Household	Right Hon. Viscount Royston.
Vice Chamberlain of the Household	Right Hon. Lord Claud Hamilton.
Captain of the Corps of Gentlemen at Arms	Right Hon. Marquess of Exeter.
Captain of the Yeomen of the Guard	Right Hon. Earl Cadogan.
Master of the Buckhounds	Right Hon. Lord Colville of Culross.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

THE MINISTRY

As formed by the Right Honourable WILLIAM EWART GLADSTONE.

THE CABINET.

First Lord of the Treasury	Right Hon. William Ewart Gladstone.
Lord Chancellor	Right Hon. Lord Hatherley.
President of the Council	Right Hon. Earl De Grey and Ripon.
Lord Privy Seal	Right Hon. Earl of Kimberley.
Secretary of State, Home Department	Right Hon. Henry Austin Bruce.
Secretary of State, Foreign Department	Right Hon. Earl of Clarendon, K.G.
Secretary of State for Colonies	Right Hon. Earl Granville, K.G.
Secretary of State for War	Right Hon. Edward Cardwell.
Secretary of State for India	His Grace the Duke of Argyll, K.G.
Chancellor of the Exchequer	Right Hon. Robert Lowe.
First Lord of the Admiralty	Right Hon. Hugh Culling Eardley Childers.
Postmaster General	Right Hon. Marquess of Hartington.
President of the Board of Trade	Right Hon. John Bright.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Chichester Samuel Fortescue.
Chief Commissioner of the Poor Law Board	Right Hon. George Joachim Goschen.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Chancellor of the Duchy of Lancaster	Right Hon. Lord Dufferin, K.P., K.C.B.
Chief Commissioner of Works and Public Buildings	Right Hon. Austen Henry Layard.
Vice President of the Committee of Privy Council for Education	Right Hon. William Edward Forster.
Lords of the Treasury	Right Hon. James Stansfeld, Most Hon. Marquess of Lansdowne, William Patrick Adam, Esq., and Hon. Captain John Cranch Walker Vivian.
Lords of the Admiralty	Vice Admiral Sir Sydney Colpoys Dacres, K.C.B., Vice Admiral Sir Robert Spencer Robinson, K.C.B., Captain Lord John Hay, C.B., and George Otto Trevelyan, Esq.
Joint Secretaries of the Treasury	George Grenfell Glyn, Esq., and Acton Smee Ayrton, Esq.
Secretary of the Admiralty	William Edward Baxter, Esq.
Secretary to the Board of Trade	George John Shaw-Lefevre, Esq.
Secretary to the Poor Law Commissioners	Arthur Wellesley Peel, Esq.
Under Secretary, Home Department	Edward Hugessen Knatchbull-Hugessen, Esq.
Under Secretary, Foreign Department	Arthur John Otway, Esq.
Under Secretary for Colonies	Right Hon. William Monsell.
Under Secretary for War	Right Hon. Lord Northbrook.
Under Secretary for India	Mountstuart Elphinstone Grant Duff, Esq.
Judge Advocate General	Right Hon. Sir Colman Michael O'Loghlen, Bt.
Attorney General	Sir Robert Porrett Collier, Knt.
Solicitor General	Sir John Duke Coleridge, Knt.

SCOTLAND.

Lord Advocate	Right Hon. John Moncreiff.
Solicitor General	George Young, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl Spencer, K.G., K.P.
Lord Chancellor	Right Hon. Thomas O'Hagan.
Chief Secretary to the Lord Lieutenant	Right Hon. Chichester Samuel Fortescue.
Attorney General	Right Hon. Edward Sullivan.
Solicitor General	Charles Robert Barry, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of Bessborough.
Lord Chamberlain	Right Hon. Viscount Sydney, G.C.B.
Master of the Horse	Most Hon. Marquess of Ailesbury, K.G.
Treasurer of the Household	Right Hon. Lord De Tabley.
Comptroller of the Household	Right Hon. Lord Otho Augustus FitzGerald.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Captain of the Yeomen of the Guard	His Grace the Duke of St. Albans.
Master of the Buckhounds	Right Hon. Earl of Cork, K.P.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Argyll.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

In the First Session of the Twentieth Parliament of the United Kingdom of Great Britain and Ireland.

32° VICTORIÆ 1868-9.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.
His Royal Highness Alfred Ernest Albert Duke of Edinburgh.
His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)
His Royal Highness George William Frederick Charles Duke of Cambridge.
Archibald Campbell Archbishop of Canterbury.
William Page Lord Hatherley, *Lord Chancellor.*
William Archbishop of York.
Richard Chenevix Archbishop of Dublin
George Frederick Samuel Earl De Grey, *Lord President of the Council.*
John Earl of Kimberley, *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*
Edward Adolphus Duke of Somerset.
Charles Henry Duke of Richmond.
William Henry Duke of Grafton.
Henry Charles Fitzroy Duke of Beaufort.
William Amelius Aubrey de Vere Duke of Saint Albans.
George Godolphin Duke of Leeds.
William Duke of Bedford.
William Duke of Devonshire.
John Winston Duke of Marlborough.
Charles Cecil John Duke of Rutland.
William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)
William John Duke of Portland.
William Drogo Duke of Manchester.
Henry Pelham Alexander Duke of Newcastle.
Algernon George Duke of Northumberland.
Arthur Richard Duke of Wellington.
Richard Plantagenet Campbell Duke of Buckingham and Chandos.
George Granville William Duke of Sutherland.
Harry George Duke of Cleveland.

John Marquess of Winchester.
George Marquess of Tweeddale. (*Elected for Scotland.*)
Henry Charles Keith Marquess of Lansdowne.
John Villiers Stuart Marquess Townshend.

Robert Arthur Talbot Marquess of Salisbury.

John Alexander Marquess of Bath.

James Marquess of Abercorn. (*Duke of Abercorn.*)

Richard Marquess of Hertford.

John Patrick Marquess of Bute.

William Alleyne Marquess of Exeter.

Charles Marquess of Northampton.

John Charles Marquess Camden.

Henry William George Marquess of Anglesey.

George Horatio Marquess of Cholmondeley.

George William Frederick Marquess of Ailesbury.

George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)

Frederick William John Marquess of Bristol.

Archibald Marquess of Ailsa.

Richard Marquess of Westminster.

George Augustus Constantine Marquess of Normanby.

Charles John Earl of Shrewsbury.

Edward Geoffrey Earl of Derby.

Francis Theophilus Henry Earl of Huntingdon.

George Robert Charles Earl of Pembroke and Montgomery.

William Reginald Earl of Devon.

Charles John Earl of Suffolk and Berkshire.

Rudolph William Basil Earl of Denbigh.

Francis William Henry Earl of Westmorland.

George Augustus Frederick Albemarle Earl of Lindsey.

George Harry Earl of Stamford and Warrington.

George James Earl of Winchilsea and Nottingham.

George Arthur Philip Earl of Chesterfield.

John William Earl of Sandwich.

Arthur Algernon Earl of Essex.

William George Earl of Carlisle.

Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)

Anthony Earl of Shaftesbury.

———— Earl of Berkeley.

Montagu Earl of Abingdon.

Richard George Earl of Scarbrough.

George Thomas Earl of Albemarle.

George William Earl of Coventry.

Victor Albert George Earl of Jersey.

William Henry Earl Poulett.

Sholto John Earl of Morton. (*Elected for Scotland.*)

Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)

George Earl of Haddington. (*Elected for Scotland.*)

Thomas Earl of Lauderdale. (*Elected for Scotland.*)

David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)

John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)

Dunbar James Earl of Selkirk. (*Elected for Scotland.*)

Thomas John Earl of Orkney. (*Elected for Scotland.*)

Sewallis Edward Earl Ferrers.

William Walter Earl of Dartmouth.

Charles Earl of Tankerville.

Heneage Earl of Aylesford.

Francis Thomas De Grey Earl Cowper.

Philip Henry Earl Stanhope.

Thomas Augustus Wolstenholme Earl of Macclesfield.

James Earl Graham. (*Duke of Montrose.*)

William Frederick Earl Waldegrave.

Bertram Earl of Ashburnham.

Charles Wyndham Earl of Harrington.

Isaac Newton Earl of Portsmouth.

George Guy Earl Brooke and Earl of Warwick.

Augustus Edward Earl of Buckinghamshire.

William Thomas Spencer Earl Fitzwilliam.

Dudley Francis Earl of Guilford.

Charles Philip Earl of Hardwicke.

Henry Edward Earl of Ilchester.

George John Earl De La Warr.

William Earl of Radnor.

John Poyntz Earl Spencer.

William Lennox Earl Bathurst.

Arthur Wills Blundell Trumbull Sandys Roden Earl of Hillsborough. (*Marquess of Downshire.*)

George William Frederick Earl of Clarendon.

William David Earl of Mansfield.

William Earl of Abergavenny.

John James Hugh Henry Earl Strange. (*Duke of Athol.*)

William Henry Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

Henry Howard Molyneux Earl of Carnarvon.

Henry Charles Earl Cadogan.

James Howard Earl of Malmesbury.

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)

William Richard Earl Annesley. (*Elected for Ireland.*)

John Earl of Erne. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

Somerset Richard Earl of Belmore. (*Elected for Ireland.*)

Francis Earl of Bandon. (*Elected for Ireland.*)

Francis Robert Earl of Rosslyn.

George Grimston Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Lawrence Earl of Rosse. (*Elected for Ireland.*)

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Frederick Earl Beauchamp.

George Frederick Samuel Earl De Grey. (*In another Place as Lord President of the Council.*)

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles George Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. (*Earl of Eglintoun.*)

William Earl of Dudley.

John Earl Russell.

John Earl of Kimberley. (*In another Place as Lord Privy Seal.*)

Richard Earl of Dartrey.

William Ernest Earl of Feversham.

John Robert Viscount Sydney, *Lord Chamberlain of the Household.*

Robert Viscount Hereford.

William Henry Viscount Strathallan. (*Elected for Scotland.*)

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)

John Robert Viscount Sydney. (*In another Place as Lord Chamberlain of the Household.*)

Francis Wheler Viscount Hood.

Mervyn Viscount Powerscourt. (*Elected for Ireland.*)

Thomas Viscount De Vesci. (*Elected for Ireland.*)

James Viscount Lifford. (*Elected for Ireland.*)

Edward Viscount Bangor. (*Elected for Ireland.*)

Hayes Viscount Doneraile. (*Elected for Ireland.*)

Cornwallis Viscount Hawarden. (*Elected for Ireland.*)

Carnegie Robert John Viscount St. Vincent.

Henry Viscount Melville.

William Wells Viscount Sidmouth.

George Frederick Viscount Templetown. (*Elected for Ireland.*)

George Viscount Gordon. (*Earl of Aberdeen.*)

Edward Viscount Exmouth.

John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)

William Thomas Viscount Clancarty. (*Earl of Clancarty.*)

Wellington Henry Viscount Combermere.

Charles John Viscount Canterbury.

Rowland Viscount Hill.

Charles Stewart Viscount Hardinge.

Hugh Viscount Gough.

Stratford Viscount Stratford de Redcliffe.

Charles Viscount Eversley.

Charles Viscount Halifax.

Alexander Nelson Viscount Bridport.

John Bishop of London.

Charles Bishop of Durham.

Charles Richard Bishop of Winchester.

Henry Bishop of Exeter.

Connop Bishop of St. David's.

Ashhurst Turner Bishop of Chichester.

Samuel Bishop of Oxford.

Thomas Vowler Bishop of St. Asaph.

James Prince Bishop of Manchester.

Alfred Bishop of Llandaff.

Walter Kerr Bishop of Salisbury.

Robert John Bishop of Bath and Wells. (*In another Place as Lord Auckland.*)

Robert Bishop of Ripon.

John Thomas Bishop of Norwich.

James Colquhoun Bishop of Bangor.

Samuel Bishop of Carlisle.

Henry Bishop of Worcester.

Charles John Bishop of Gloucester and Bristol.

Edward Harold Bishop of Ely.

William Bishop of Chester.

Thomas Legh Bishop of Rochester.

George Augustus Bishop of Lichfield.

James Bishop of Hereford.

William Connor Bishop of Peterborough.

Robert Bishop of Cashel, Emly, Waterford, and Lismore.

William Bishop of Derry and Raphoe.

Charles Brodrick Bishop of Tuam, Killala, and Achonry.

John George Brabazon Lord Ponsonby (*Earl of Bessborough*), *Lord Steward of the Household.*

George Douglas Lord Sundridge (*Duke of Argyll*), *One of Her Majesty's Principal Secretaries of State.*

William Lennox Lascelles Lord De Ros.

Jacob Henry Delaval Lord Hastings.

George Edward Lord Audley.

Alberic Lord Willoughby de Eresby.

Thomas Crosby William Lord Dacre.

Charles Henry Rolle Lord Clinton.

Thomas Lord Camoys.

Henry Lord Beaumont.

Charles Lord Stourton.

Henry William Lord Berners.

Henry Lord Willoughby de Broke.

Sackville George Lord Conyers.

George Lord Vaux of Harrowden.

Ralph Gordon Lord Wentworth.

Edward Adolphus Ferdinand Lord Seymour.

St. Andrew Beauchamp Lord St. John of Bletso.

Frederick George Lord Howard de Walden.

William Bernard Lord Petre.

Frederick Benjamin Lord Saye and Sele.

John Francis Lord Arundell of Wardour.

John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

James Lord Sinclair. (*Elected for Scotland.*)

William Buller Fullerton Lord Elphinstone. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*) (*In another Place as Lord Steward of the Household.*)

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

Augustus Henry Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*) (*In another Place as One of Her Majesty's Principal Secretaries of State.*)

Stanhope Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Henry Bentinck Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another Place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

George Lord Mendip. (*Viscount Clifden.*)

Archibald George Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William John Lord Brodrick. (*Viscount Midleton.*)

Frederick Henry William Lord Calthorpe.

Charles Robert Lord Carrington.

William Henry Lord Bolton.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Theobald Fitz-Walter Lord Dunboyne. (*Elected for Ireland.*)

Lucius Lord Inchiquin. (*Elected for Ireland.*)

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Charles Allanson Lord Headley. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

Horace Lord Rivers.

Augustus Frederick Arthur Lord Sandys

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Reginald Charles Edward Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

James Lord Kingston. (*Earl of Kingston.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Robert Francis Lord Gifford.

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montague Stuart Granville Lord Wharncliffe.

John Henry Lord Tenterden.

John Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald Philip Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

John Hobart Lord Howden.

Fox Lord Panmure. (*Earl of Dalhousie.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Edward Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Alexander Hugh Lord Ashburton.
Edward Richard Lord Hatherton.
Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)
William Frederick Lord Stratheden.
Edward Berkeley Lord Portman.
Thomas Alexander Lord Lovat.
William Bateman Lord Bateman.
James Molyneux Lord Charlemont. (*Earl of Charlemont.*)
Francis Alexander Lord Kintore. (*Earl of Kintore.*)
George Ponsonby Lord Lismore. (*Viscount Lismore.*)
Henry Cairns Lord Rossmore.
Robert Shapland Lord Carew.
Charles Frederick Ashley Cooper Lord De Mauley.
Arthur Lord Wrottesley.
Sudeley Charles George Tracy Lord Sudeley.
Frederick Henry Paul Lord Methuen.
Edward John Lord Stanley of Alderley.
Henry Lord Stuart de Decies.
William Henry Lord Leigh.
Beilby Richard Lord Wenlock.
Charles Lord Lurgan.
Thomas Spring Lord Monteagle of Brandon.
James Lord Seaton.
Edward Arthur Wellington Lord Keane.
John Lord Oxenfoord. (*Earl of Stair.*)
Charles Crespigny Lord Vivian.
John Lord Congleton.
Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)
Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)
Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)
William Henry Forester Lord Londesborough.
Samuel Jones Lord Overstone.
Charles Robert Claude Lord Truro.
John Cam Lord Broughton.
——— Lord De Freyne.
Edward Burtenshaw Lord Saint Leonards.
Richard Henry Fitz-Roy Lord Raglan.
Gilbert Henry Lord Aveland.
Thomas Lord Kenmare. (*Earl of Kenmare.*)
Richard Bickerton Pemell Lord Lyons.
Edward Lord Belper.
James Lord Talbot de Malahide.
Robert Lord Ebury.
James Lord Skene. (*Earl Fife.*)
William George Lord Chesham.
Frederic Lord Chelmsford.
John Lord Churston.
John Charles Lord Strathspey. (*Earl of Seafield.*)
George Lord Leconfield.
William Tatton Lord Egerton.
Charles Morgan Robinson Lord Tredegar.
Robert Vernon Lord Lyveden.
Henry Lord Taunton.
William Lord Brougham and Vaux.
Richard Lord Westbury.
Francis William Fitzhardinge Lord Fitzhardinge.
Henry Lord Annaly.
Richard Monckton Lord Houghton.
John Lord Romilly.
Thomas George Lord Northbrook.
James Lord Barrogill. (*Earl of Caithness.*)
Thomas Lord Clermont.
William Meredyth Lord Meredyth. (*Lord Athlumney.*)
Edwin Richard Windham Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)
Charles Stanley Lord Monck. (*Viscount Monck.*)
John Lord Hartismere. (*Lord Henniker.*)
Edward George Earle Lytton Lord Lytton.
William George Hylton Lord Hylton.
Hugh Henry Lord Strathnairn.
Edward Gordon Lord Penrhyn.
Gustavus Frederick Lord Brancepeth. (*Viscount Boyne.*)
Duncan Lord Colonsay.
Hugh Mac Calmont Lord Cairns.
John Lord Kesteven.
John Lord Ormathwaite.
Brook William Lord Fitzwalter.
William Lord O'Neill.
Robert Cornelis Lord Napier.
Edward Anthony John Lord Gormanston. (*Viscount Gormanston.*)
William Page Lord Hatherley. (*In another Place as Lord Chancellor.*)

LIST OF THE COMMONS.

LIST OF MEMBERS.

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the Twentieth Parliament of the United Kingdom of Great Britain and Ireland: Amended to the Opening of the First Session on the 10th Day of December, 1868.

BEDFORD COUNTY.

Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.

James Howard,
Samuel Whitbread.

BERKS COUNTY.

Robert Loyd-Lindsay,
Richard Benyon,
John Walter.

READING.

Sir Francis Henry Goldsmid, bt.,
George John Shaw Lefevre.

WINDSOR (NEW).

Roger Eykyn.

WALLINGFORD.

Stanley Vickers.

ABINGDON.

Hon. Charles Hugh Lindsay.

BUCKINGHAM COUNTY.

Caledon George Du Pre,
Rt. hon. Benjamin Disraeli,
Nathaniel Grace Lambert.

AYLESBURY.

Nathaniel Mayer de Rothschild,
Samuel George Smith.

WYCOMBE (CHEPPING).

Hon. William Henry Peregrine Carington.

BUCKINGHAM.

Sir Harry Verney, bt.

MARLOW (GREAT).

Thomas Owen Wethered.

CAMBRIDGE COUNTY.

Rt. hon. Lord George John Manners,
Hon. Charles Philip (Yorke) Viscount Royston,
Rt. hon. Henry Bouverie William Brand.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Alexander James Beresford Beresford Hope.

CAMBRIDGE.

Robert Richard Torrens,
William Fowler.

EAST CHESHIRE.

Edward Christopher Egerton,
William John Legh.

MID CHESHIRE.

Hon. Wilbraham Egerton,
George Cornwall Legh.

WEST CHESHIRE.

Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

MACCLESFIELD.

William Coare Brocklehurst,
David Chadwick.

STOCKPORT.

William Tipping,
John Benjamin Smith.

BIRKENHEAD.

John Laird.

CHESTER.

Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Henry Cecil Raikes.

CORNWALL COUNTY.

(Eastern Division.)

Sir John Salusbury Trelawny, bt.,
Edward William Brydges Willyams.

(Western Division.)

John Saint Aubyn,
Arthur Pendarves Vivian.

TRURO.

Frederick Martin Williams,
Hon. John Cranch Walker Vivian.

PENRYN and FALMOUTH.

Robert Nicholas Fowler,
Edward Backhouse Eastwick.

BODMIN.

Hon. Edward Frederick Leveson-Gower.

LAUNCESTON.

Henry Charles Lopes.

LISKEARD.

Sir Arthur William Buller, knt.

HELSTON.

Adolphus William Young.

ST. IVES.

Charles Magniac.

CUMBERLAND COUNTY.

(Eastern Division.)

William Nicholson Hodgson,
Hon. Charles Wentworth George Howard.

(Western Division.)

Henry Lowther,
Hon. Percy Scawen Wyndham.

CARLISLE.

Sir Wilfrid Lawson, bt.,
Edmund Potter.

COCKERMOUTH.

Isaac Fletcher.

WHITEHAVEN.

George Augustus Frederick Cavendish Bentinck.

DERBY COUNTY.

(North Derbyshire.)

Lord George Henry Cavendish,
Augustus Peter Arkwright.

(South Derbyshire.)

Rowland Smith,
Sir Thomas Gresley, bt.

(East Derbyshire.)

Hon. Francis Egerton,
Hon. Henry Strutt.

DERBY.

Michael Thomas Bass,
Samuel Plimsoll.

DEVON COUNTY.

(North Devonshire.)

Rt. hon. Sir Stafford Henry Northcote, bt.,
Thomas Dyke Acland.

(South Devonshire.)

Sir Massey Lopes, bt.,
Samuel Trehawke Kekewich.

(East Devonshire.)

Rt. hon. Edward Baldwin (Courtenay) Viscount Courtenay,
Sir Lawrence Palk, bt.

TIVERTON.

Hon. George Denman,
John Heathcote-Amory.

PLYMOUTH.

Sir Robert Porrett Collier, knt.,
Walter Morrison.

BARNSTAPLE.

Thomas Cave,
Charles Henry Williams.

DEVONPORT.

John Delaware Lewis,
Montagu Chambers.

TAVISTOCK.

Arthur John Edward Russell.

EXETER.

John Duke Coleridge,
Edgar Alfred Bowring.

DORSET COUNTY.

Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer.

WEYMOUTH AND MELCOMBE REGIS.

Charles Joseph Theophilus Hambro,
Henry Edwards.

DORCHESTER.

Charles Napier Sturt.

BRIDPORT.

Thomas Alexander Mitchell.

SHAFTESBURY.

George Grenfell Glyn.

WAREHAM.

John Hales Montagu Calcraft.

POOLE.

Arthur Edward Guest.

DURHAM COUNTY.

(Northern Division.)

George Elliot,
Sir Hedworth Williamson, bt.

(Southern Division.)

Joseph Whitwell Pease,
Frederick Edward Blackett Beaumont.

DURHAM (CITY).

John Henderson,
John Robert Davison.

SUNDERLAND.

John Candlish,
Edward Temperley Gourley.

GATESHEAD.

Rt. hon. Sir William Hutt.

SHIELDS (SOUTH).

James Cochran Stevenson.

DARLINGTON.

Edmund Backhouse.

HARTLEPOOL.

Ralph Ward Jackson.

STOCKTON.

Joseph Dodds.

ESSEX COUNTY.

(West Essex.)

Henry John Selwin-Ibbetson,
Lord Eustace Henry Brownlow Gascoyne-Cecil.

ESSEX COUNTY—*cont.*

(East Essex.)

James Round,
Samuel Brise Ruggles-Brise.

(South Essex.)

Richard Baker Wingfield Baker,
Andrew Johnston.

COLCHESTER.

John Gurdon Rebow,
William Brewer.

HARWICH.

Henry Jervis White-Jervis.

MALDON.

Edward Hammond Bentall.

GLOUCESTER COUNTY.

(Eastern Division.)

Robert Stayner Holford,
Sir Michael Edward Hicks-Beach, bt.

(Western Division.)

Robert Nigel Fitzhardinge Kingscote,
Samuel Stevens Marling.

STROUD.

Sebastian Stewart Dickenson,
Henry Selfe Page Winterbotham.

TEWKESBURY.

William Edwin Price.

CIRENCESTER.

Allen Alexander Bathurst.

CHELTENHAM.

Henry Bernhard Samuelson.

GLOUCESTER.

William Philip Price,
Charles James Monk.

HEREFORD COUNTY.

Sir Joseph Russell Bailey, bt.,
Sir Herbert George Denman Croft, bt.,
Michael Biddulph.

HEREFORD.

George Clive,
John William Shaw Wyllie.

LEOMINSTER.

Richard Arkwright.

HERTFORD COUNTY.

Hon. Henry Frederick Cowper,
Henry Robert Brand,
Abel Smith.

HERTFORD.

Robert Dimsdale.

HUNTINGDON COUNTY.

Edward Fellowes,
Rt. hon. Lord Robert Montagu.

HUNTINGDON.

Thomas Baring.

KENT COUNTY.

(Eastern Division.)

Edward Leigh Pemberton,
Hon. George Watson Milles.

(West Kent.)

Charles Henry Mills,
John Gilbert Talbot.

(Mid Kent.)

William Hart Dyke,
Hon. William Archer (Amherst) Viscount Holmesdale.

ROCHESTER.

Philip Wykeham-Martin,
John Alexander Kinglake.

MAIDSTONE.

William Lee,
James Whatman.

GREENWICH.

David Salomons,
Rt. hon. William Ewart Gladstone.

CHATHAM.

Arthur John Otway.

GRAVESEND.

Sir Charles Wingfield.

CANTERBURY.

Henry Alexander Butler-Johnstone,
Theodore Henry Brinckman.

LANCASTER COUNTY.

(North Lancashire.)

Hon. Frederick Arthur Stanley,
Rt. hon. John Wilson Patten.

(North-east Lancashire.)

James Maden Holt,
John Pierce Chamberlain Starkie.

LANCASTER COUNTY—*cont.*

(South-east Lancashire.)

Hon. Algernon Fulke Egerton,
John Snowdon Henry.

(South-west Lancashire.)

Charles Turner,
Richard Assheton Cross.

LIVERPOOL.

Samuel Robert Graves,
Viscount Sandon,
William Rathbone.

MANCHESTER.

Hugh Birley,
Thomas Bazley,
Jacob Bright.

PRESTON.

Edward Hermon,
Sir Thomas George Fermor Hesketh, bt.

WIGAN.

Henry Woods,
John Lancaster.

BOLTON.

John Hick,
William Gray.

BLACKBURN.

William Henry Hornby,
Joseph Feilden.

OLDHAM.

John Tomlinson Hibbert,
John Platt.

SALFORD.

Charles Edward Cawley.
William Thomas Charley.

ASHTON-UNDER-LYNE.

Thomas Walton Mellor.

CLITHEROE.

Ralph Assheton.

BURY.

Robert Needham Philips.

ROCHDALE.

Thomas Bayley Potter.

WARRINGTON.

Peter Rylands.

BURNLEY

Richard Shaw.

STALEYBRIDGE.

James Sidebottom.

LEICESTER COUNTY.

(Northern Division.)

Rt. hon. Lord John James Robert Manners,
Samuel William Clowes.

(Southern Division.)

Hon. George Augustus Frederick Louis (Curzon-Howe) Viscount Curzon,
Albert Pell.

LEICESTER.

Peter Alfred Taylor,
John Dove Harris.

LINCOLN COUNTY.

(North Lincolnshire.)

Sir Montague John Cholmeley, bt.,
Rowland Winn.

(Mid Lincolnshire.)

Weston Cracroft-Amcotts,
Henry Chaplin.

(South Lincolnshire.)

William Earle Welby,
Edmund Turnor.

GRANTHAM.

Hon. Frederick James Tollemache,
Hugh Arthur Henry Cholmeley.

BOSTON.

John Wingfield Malcolm,
Thomas Collins.

STAMFORD.

Sir John Charles Dalrymple Hay, bt.

LINCOLN.

Charles Seely,
John Hinde Palmer.

GRIMSBY (GREAT).

George Tomline.

MIDDLESEX COUNTY.

George Henry Charles (Byng) Viscount Enfield,
Lord George Francis Hamilton.

WESTMINSTER.

Hon. Robert Willesley Grosvenor,
William Henry Smith.

TOWER HAMLETS.

Acton Smee Ayrton,
Joseph D'Aguilar Samuda.

HACKNEY.

Charles Reed,
John Holms.

FINSBURY.

William Torrens M'Cullagh Torrens,
Andrew Lusk.

MARYLEBONE.

John Harvey Lewis,
Thomas Chambers.

CHELSEA.

Charles Wentworth Dilke,
Sir Henry Ainslie Hoare, bt.

LONDON (UNIVERSITY).
Rt. hon. Robert Lowe.

LONDON.
Rt. hon. George Joachim Goschen,
Robert Wygram Crawford,
William Lawrence,
Charles Bell.

MONMOUTH COUNTY.
Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.
Sir John William Ramsden, bt.

NORFOLK COUNTY.
(*West Norfolk.*)
Sir William Bagge, bt.,
Hon. Thomas De Grey.

(*North Norfolk.*)
Hon. Frederick Walpole,
Sir Edmund Henry Knowles Lacon, bt.

(*South Norfolk.*)
Clare Sewell Read,
Edward Howes.

KING'S LYNN.
Rt. hon. Edward (Stanley) Lord Stanley,
Hon. Robert Bourke.

NORWICH.
Sir Henry Josias Stracey, bt.,
Sir William Russell, bt.

NORTHAMPTON COUNTY.
(*Northern Division.*)
Rt. hon. George Ward Hunt,
Sackville George Stopford.

(*Southern Division.*)
Sir Rainald Knightley, bt.,
Fairfax William Cartwright.

PETERBOROUGH.
William Wells,
George Hammond Whalley.

NORTHAMPTON.
Charles Gilpin,
Rt. hon. Anthony Lord Henley.

NORTHUMBERLAND COUNTY.
(*Northern Division.*)
Rt. hon. George (Percy) Earl Percy,
Matthew White Ridley.

NORTHUMBERLAND COUNTY *cont.*

(*Southern Division.*)
Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

MORPETH.
Rt. hon. Sir George Grey, bt.

TYNEMOUTH.
Thomas Eustace Smith.

NEWCASTLE-UPON-TYNE.
Rt. hon. Thomas Emerson Headlam,
Joseph Cowen.

BERWICK-UPON-TWEED.
Rt. hon. Thomas Coutts (Keppel) Viscount Bury,
John Stapleton.

NOTTINGHAM COUNTY.
(*Northern Division.*)
Rt. hon. John Evelyn Denison,
Frederick Chatfield Smith.

(*Southern Division*).
William Hodgson Barrow,
Thomas Blackborne Thoroton Hildyard.

NEWARK-UPON-TRENT.
Grosvenor Hodgkinson,
Edward Denison.

RETFORD (EAST).
Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

NOTTINGHAM.
Sir Robert Juckes Clifton, bt.,
Charles Ichabod Wright.

OXFORD COUNTY.
Rt. hon. Joseph Warner Henley,
John Sidney North,
William Cornwallis Cartwright.

OXFORD (UNIVERSITY).
Rt. hon. Gathorne Hardy,
Rt. hon. John Robert Mowbray.

BANBURY.
Bernhard Samuelson.

OXFORD (CITY).
Rt. hon. Edward Cardwell,
William George Granville Venables Vernon-Harcourt.

WOODSTOCK.
Henry Barnett.

RUTLAND COUNTY.
Hon. Gerard James Noel,
George Henry Finch.

SALOP COUNTY.
(*Northern Division.*)
John Ralph Ormsby-Gore,
Hon. Orlando George Charles (Bridgeman) Viscount Newport.

(*Southern Division.*)
Rt. hon. Percy Egerton Herbert,
Edward Corbett.

SHREWSBURY.
William James Clement,
James Figgins.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
Alexander Hargreaves Brown.

LUDLOW.
Hon. George Herbert Windsor Windsor-Clive.

BRIDGNORTH.
Henry Whitmore.

SOMERSET COUNTY.
(*East Somerset.*)
Ralph Shuttleworth Allen,
Richard Bright.

(*Mid Somerset.*)
Ralph Neville-Grenville,
Richard Horner Paget.

(*West Somerset.*)
William Henry Powell Gore-Langton,
Hon. Arthur Wellington Alexander Nelson Hood.

BATH.
William Tite,
Donald Dalrymple.

TAUNTON.
Alexander Charles Barclay,
Edward William Cox.

BRIDGWATER.
Alexander William Kinglake,
Philip Vanderbyl.

FROME.
Thomas Hughes.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
Samuel Morley.

SOUTHAMPTON COUNTY.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Rt. hon. William Francis Cowper,
Lord Henry John Montagu Douglas-Scott.

WINCHESTER.
William Barrow Simonds,
John Bonham-Carter.

PORTSMOUTH.
Sir James Dalrymple-Horn-Elphinstone, bt.,
William Henry Stone.

LYMINGTON.
Hon. Lord George Charles Gordon Lennox.

ANDOVER.
Hon. Dudley Francis Fortescue.

CHRISTCHURCH.
Edmund Haviland Burke.

PETERSFIELD.
William Nicholson.

SOUTHAMPTON.
Rt. hon. Russell Gurney,
Peter Merrik Hoare.

STAFFORD COUNTY.

(North Staffordshire.)

Rt. hon. Charles Bowyer Adderley,
Sir Edward Manningham Buller, knt.

(West Staffordshire.)

Hugh Francis Meynell Ingram,
Smith Child.

(East Staffordshire.)

Michael Arthur Bass,
John Robinson McLean.

STAFFORD.
Henry Davis Pochin,
Walter Meller.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
Rt. hon. Sir Henry Lytton Bulwer, knt.

NEWCASTLE-UNDER-LYME.
Edmund Buckley,
William Shepherd Allen.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

STOKE-UPON-TRENT.
George Melly,
William Sargeant Roden.

WALSALL.
Charles Forster.

WEDNESBURY.
Alexander Brogden.

LICHFIELD.
Richard Dyott.

SUFFOLK COUNTY.

(Eastern Division.)

Hon. John Major Henniker-Major,
Frederick Snowden Corrance.

(Western Division.)

Windsor Parker,
Hon. Lord Augustus Henry Charles Hervey.

IPSWICH.
Hugh Edward Adair,
Henry Wyndham West.

BURY ST. EDMUNDS.
Edward Greene,
Joseph Alfred Hardcastle.

EYE.
Rt. hon. George William (Barrington) Viscount Barrington.

SURREY COUNTY.

(East Surrey.)

Hon. Peter John Locke King,
Charles Buxton.

(Mid Surrey.)

Henry William Peek,
Hon. William Brodrick.

(West Surrey.)

George Cubitt,
John Ivatt Briscoe.

SOUTHWARK.
John Locke,
Austen Henry Layard.

LAMBETH.
James Clarke Lawrence,
William McArthur.

GUILDFORD.
Guildford James Hillier Mainwaring Ellerker Onslow.

SUSSEX COUNTY.

(Eastern Division.)

John George Dodson,
George Burrow Gregory.

(Western Division.)

Hon. Henry Wyndham,
Walter Barttelot Barttelot.

SHOREHAM (NEW).
Rt. hon. Stephen Cave,
Sir Percy Burrell, bt.

BRIGHTHELMSTONE.
James White,
Henry Fawcett.

CHICHESTER.
Hon. Lord Henry Charles George Gordon Lennox.

LEWES.
Hon. Walter John (Pelham) Lord Pelham.

HORSHAM.
Robert Henry Hurst,
John Aldridge.

MIDHURST.
William Townley Mitford.

WARWICK COUNTY.

(Northern Division.)

Charles Newdigate Newdegate,
William Bromley Davenport.

(Southern Division.)

Henry Christopher Wise,
John Hardy.

BIRMINGHAM.
John Bright,
George Dixon,
Philip Henry Muntz.

WARWICK.
Arthur Wellesley Peel,
Edward Greaves.

COVENTRY.
Henry William Eaton,
Alexander Staveley Hill.

WESTMORELAND COUNTY.

Rt. hon. Thomas (Taylour) Earl of Bective,
William Lowther.

KENDAL.
John Whitwell.

(WIGHT) ISLE OF.

Sir John Simeon, bt.

NEWPORT, ISLE OF WIGHT.
Charles Wykeham-Martin.

WILTS COUNTY.

(Northern Division.)

Sir George Samuel Jenkinson, bt.,
Hon. Lord Charles William Brudenell-Bruce.

(Southern Division.)

Hon. Lord Henry Frederick Thynne,
Thomas Fraser Grove.

NEW SARUM (SALISBURY).
John Alfred Lush,
Edward William Terrick Hamilton.

CRICKLADE.
Sir Daniel Gooch, bt.,
Hon. Frederick William Cadogan.

DEVIZES.
Sir Thomas Bateson, bt.

MARLBOROUGH.
Rt. hon. Lord Ernest Augustus Charles Brudenell-Bruce.

CHIPPENHAM.
Gabriel Goldney.

CALNE.
Lord Edmond Fitzmaurice.

MALMESBURY.
Walter Powell.

WESTBURY.
John Lewis Phipps.

WILTON.
Edmund Antrobus.

WORCESTER COUNTY.

(Eastern Division.)
Richard Paul Amphlett,
Hon. Charles George Lyttelton.

(Western Division.)
Frederick Winn Knight,
William Edward Dowdeswell.

EVESHAM.
James Bourne.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

BEWDLEY.
Sir Richard Atwood Glass.

DUDLEY.
Henry Brinsley Sheridan.

KIDDERMINSTER.
Thomas Lea.

WORCESTER.
William Laslett,
Alexander Clunes Sherriff.

YORK COUNTY.

(North Riding.)
Hon. Octavius Duncombe,
Frederick Acclom Milbank.

(East Riding.)
Christopher Sykes,
William Henry Harrison Broadley.

(West Riding, Northern Division.)
Sir Francis Crossley, bt.,
Hon. Lord Frederick Charles Cavendish.

YORK COUNTY—*cont.*

(West Riding, Eastern Division.)
Christopher Beckett Denison,
Joshua Fielden.

(West Riding, Southern Division.)
Hon. William (Wentworth-FitzWilliam) Viscount Milton,
Henry Frederick Beaumont.

LEEDS.
Edward Baines,
Robert Meek Carter,
William Saint-James Wheelhouse.

BEVERLEY.
Sir Henry Edwards, bt.,
Edmund Hegan Kennard.

PONTEFRACT.
Hugh Culling Eardley Childers,
Samuel Waterhouse.

SCARBOROUGH.
Sir John Vanden Bempde Johnstone, bt.,
John Dent Dent.

SHEFFIELD.
George Hadfield,
Anthony John Mundella.

BRADFORD.
William Edward Forster,
Henry William Ripley.

HALIFAX.
James Stansfeld,
Edward Akroyd.

KNARESBOROUGH.
Alfred Illingworth.

MALTON.
Hon. Charles William Wentworth-Fitzwilliam.

RICHMOND.
Sir Roundell Palmer, knt.

RIPON.
Rt. hon. Lord John Hay.

HUDDERSFIELD.
Edward Aldam Leatham.

WAKEFIELD.
Somerset Archibald Beaumont.

WHITBY.
William Henry Gladstone.

YORK CITY.
James Lowther,
John Proctor Brown-Westhead.

MIDDLESBOROUGH.
Henry William Ferdinand Bolckow.

DEWSBURY.
John Simon.

KINGSTON-UPON-HULL.
Charles Morgan Norwood,
James Clay.

NORTHALLERTON.
John Hutton.

THIRSK.
Sir William Payne Gallwey, bt.

BARONS OF THE CINQUE PORTS.

DOVER.
Alexander George Dickson,
George Jessel.

HASTINGS.
Thomas Brassey,
Frederick North.

SANDWICH.
Edward Hugessen Knatchbull-Hugessen,
Henry Arthur Brassey.

HYTHE.
Mayer Amschel de Rothschild.

RYE.
John Stewart Hardy.

WALES.

ANGLESEA COUNTY.
Richard Davies.

BEAUMARIS.
Hon. William Owen Stanley.

BRECKNOCK COUNTY.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
Howel Gwyn.

CARDIGAN COUNTY.
Evan Mathew Richards.

CARDIGAN, &c.
Sir Thomas Davies Lloyd, bt.

CARMARTHEN COUNTY.
Edward John Sartoris,
John Jones.

CARMARTHEN, &c.
John Stepney Cowell-Stepney.

CARNARVON COUNTY.
Thomas Love Duncombe Jones-Parry.

CARNARVON, &c.
William Bulkeley Hughes.

DENBIGH COUNTY.
Sir Watkin Williams Wynn, bt.,
George Osborne Morgan.

DENBIGH, &c.
Watkin Williams.

FLINT COUNTY.
Hon. Lord Richard de Aquila Grosvenor.
FLINT, &c.
Sir John Hanmer, bt.

GLAMORGAN COUNTY.
Christopher Rice Mansel Talbot,
Henry Hussey Vivian.
MERTHYR TYDVIL.
Henry Richard,
Richard Fothergill.
CARDIFF, &c.
James Frederick Dudley Crichton-Stuart.
SWANSEA, &c.
Lewis Llewelyn Dillwyn.

MERIONETH COUNTY.
David Williams.

MONTGOMERY COUNTY.
Charles Watkin Williams Wynn.
MONTGOMERY.
Hon. Charles Douglas Richard Hanbury-Tracy.

PEMBROKE COUNTY.
John Henry Scourfield.
PEMBROKE.
Thomas Meyrick.
HAVERFORDWEST.
Hon. William Edwardes.

RADNOR COUNTY.
Hon. Arthur Walsh.
NEW RADNOR.
Richard Green Price.

SCOTLAND.

ABERDEEN.
(*East Aberdeenshire.*)
William Dingwall Fordyce.
(*West Aberdeenshire.*)
William McCombie.
ABERDEEN.
William Henry Sykes.
ARGYLE.
Most noble John Douglas Sutherland (Campbell) Marquess of Lorne.
AYR.
(*North Ayrshire.*)
William Finnie.
(*South Ayrshire.*)
Sir David Wedderburn, bt.
KILMARNOCK, RENFREW, &c.
Rt. hon. Edward Pleydell Bouverie.
BURGHS OF AYR, &c.
Edward Henry John Craufurd.
BANFF.
Robert William Duff.
BERWICK.
David Robertson.
BUTE.
Charles Dalrymple.
CAITHNESS.
George Traill.
WICK, KIRKWALL, &c.
George Loch.
CLACKMANNAN AND KINROSS.
William Patrick Adam.
DUMBARTON.
Archibald Orr Ewing.
DUMFRIES.
Sir Sydney Hedley Waterlow.
DUMFRIES, &c.
Robert Jardine.
EDINBURGHSHIRE.
Sir Alexander Charles Ramsay Gibson-Maitland, bt.
EDINBURGH.
Duncan McLaren,
John Miller.
UNIVERSITIES OF EDINBURGH AND ST. ANDREWS.
Lyon Playfair.
BURGHS OF LEITH, &c.
Robert Andrew Macfie.
ELGIN AND NAIRN.
Hon. James Grant.
BURGHS OF ELGIN, &c.
Mountstuart Elphinstone Grant Duff.
FIFE.
Sir Robert Anstruther, bt.
BURGHS OF ST. ANDREWS.
Edward Ellice.
KIRKCALDY, DYSART, &c.
Roger Sinclair Aytoun.
FORFAR.
Hon. Charles Carnegie.
TOWN OF DUNDEE.
George Armitstead,
Sir John Ogilvy, bt.
MONTROSE, &c.
William Edward Baxter.
HADDINGTON.
Hon. Francis Wemyss (Charteris) Lord Elcho.
HADDINGTON BURGHS.
Sir Henry Robert Ferguson Davie, bt.
INVERNESS.
Donald Cameron.
INVERNESS, &c.
Eneas William Mackintosh.
KINCARDINESHIRE.
James Dyce Nicol.
KIRKCUDBRIGHT.
Wellwood Herries Maxwell.
LANARK.
(*North Lanarkshire.*)
Sir Thomas Edward Colebrooke, bt.
LANARK—*cont.*
(*South Lanarkshire.*)
John Glencairn Carter Hamilton.
GLASGOW.
Robert Dalglish,
William Graham,
George Anderson.
UNIVERSITIES OF GLASGOW AND ABERDEEN.
James Moncreiff.
LINLITHGOW.
Peter McLagan.
ORKNEY AND SHETLAND.
Frederick Dundas.
PEEBLES AND SELKIRK.
Sir Graham Graham Montgomery, bt.
PERTH.
Charles Stuart Parker.
TOWN OF PERTH.
Hon. Arthur FitzGerald Kinnaird.
RENFREWSHIRE.
Archibald Alexander Speirs.
PAISLEY.
Humphrey Ewing Crum-Ewing.
GREENOCK.
James Johnston Grieve.
ROSS AND CROMARTY.
Alexander Matheson.
ROXBURGH.
Sir William Scott, bt.
HAWICK, SELKIRK, &c.
George Otto Trevelyan.
STIRLING.
John Elphinstone Erskine.
STIRLING, &c.
Henry Campbell.
LINLITHGOW, LANARK, &c.
James Merry.
SUTHERLAND.
Rt. hon. Lord Ronald Sutherland Leveson-Gower.
WIGTON.
Hon. Alan Plantagenet (Stewart) Lord Garlies.
WIGTON, &c.
George Young.

IRELAND.

ANTRIM COUNTY.
Hon. Edward O'Neill,
George Henry Seymour.
BELFAST.
William Johnston,
Thomas McClure.
LISBURN.
Edward Wingfield Verner.
CARRICKFERGUS.
Marriot Robert Dalway.
ARMAGH COUNTY.
Sir James Matthew Stronge, bt.,
William Verner.

ARMAGH (CITY).
John Vance.

CARLOW COUNTY.
Henry Bruen,
Arthur MacMurrough Kavanagh.

CARLOW (BOROUGH).
William Fagan.

CAVAN COUNTY.
Hon. Hugh Annesley,
Edward Saunderson.

CLARE COUNTY.
Crofton Moore Vandeleur,
Sir Colman Michael O'Loghlen, bt.

ENNIS.
William Stacpoole.

CORK COUNTY.
McCarthy Downing,
Arthur Hugh Smith Barry.

BANDON BRIDGE.
William Shaw.

YOUGHAL.
Christopher Weguelin.

KINSALE.
Sir George Conway Colthurst, bt.

MALLOW.
Edward Sullivan.

CORK (CITY).
John Francis Maguire,
Nicholas Daniel Murphy.

DONEGAL COUNTY.
Thomas Conolly,
Hon. James (Hamilton) Marquess of Hamilton.

DOWN COUNTY.
Hon. Lord Arthur Edwin Hill-Trevor,
William Brownlow Forde.

NEWRY.
William Kirk.

DOWNPATRICK.
William Keown.

DUBLIN COUNTY.
Rt. hon. Thomas Edward Taylor,
Ion Trant Hamilton.

DUBLIN (CITY).
Sir Arthur Edward Guinness, bt.,
Jonathan Pim.

DUBLIN UNIVERSITY.
Anthony Lefroy,
John Thomas Ball.

FERMANAGH.
Mervyn Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
John Henry (Crichton) Viscount Crichton.

GALWAY COUNTY.
William Henry Gregory,
Hon. Hubert (De Burgh Canning) Viscount Burke.

GALWAY (BOROUGH).
William Ulick Tristram (St. Lawrence) Viscount St. Lawrence,
Sir Rowland Blennerhassett, bt.

KERRY.
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse,
Henry Arthur Herbert.

TRALEE.
Daniel O'Donoghue, (The O'Donoghue).

KILDARE.
Rt. hon. William Henry Ford Cogan,
Rt. hon. Lord Otho Augustus Fitz-Gerald.

KILKENNY.
George Leopold Bryan,
Hon. Leopold Agar-Ellis.

KILKENNY (CITY).
Sir John Gray, knt.

KING'S COUNTY.
Sir Patrick O'Brien, bt.,
David Sherlock.

LEITRIM COUNTY.
William Richard Ormsby-Gore,
John Brady.

LIMERICK COUNTY.
Rt. hon. William Monsell,
Edmund John Synan.

LIMERICK (CITY).
George Gavin,
Francis William Russell.

LONDONDERRY COUNTY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

COLERAINE.
Sir Henry Hervey Bruce, bt.

LONDONDERRY (CITY).
Richard Dowse.

LONGFORD COUNTY.
Fulke Southwell Greville-Nugent,
Myles William O'Reilly.

LOUTH COUNTY.
Rt. hon. Chichester Parkinson Fortescue,
Matthew O'Reilly Dease.

DUNDALK.
Philip Callan.

DROGHEDA.
Benjamin Whitworth.

MAYO COUNTY.
Hon. George (Bingham) Lord Bingham,
George Henry Moore.

MEATH COUNTY.
Matthew Elias Corbally,
Edward MacEvoy.

MONAGHAN COUNTY.
Charles Powell Leslie,
Sewallis Evelyn Shirley.

QUEEN'S COUNTY.
Rt. hon. John Wilson Fitzpatrick,
Kenelm Thomas Digby.

PORTARLINGTON.
Hon. Lionel Seymour William Dawson-Damer.

ROSCOMMON COUNTY.
Rt. hon. Fitzstephen French,
Charles Owen O'Conor (The O'Conor Don).

SLIGO COUNTY.
Denis Maurice O'Conor,
Sir Robert Gore Booth, bt.

SLIGO (BOROUGH).
Lawrence Edward Knox.

TIPPERARY COUNTY.
Charles Moore,
Hon. Charles White.

CASHEL.
James Lyster O'Beirne.

CLONMEL.
John Bagwell.

TYRONE COUNTY.
Rt. hon. Henry Thomas Lowry-Corry,
Rt. hon. Lord Claud Hamilton.

DUNGANNON.
Hon. William Stuart Knox.

WATERFORD COUNTY.
John Esmonde,
Edmond de la Poer.

DUNGARVAN.
Henry Matthews.

WATERFORD (CITY).
John Aloysius Blake,
James Delahunty.

WESTMEATH COUNTY.
William Pollard-Urquhart,
Algernon William Fulke Greville.

ATHLONE.
John James Ennis.

WEXFORD COUNTY.
Matthew Peter D'Arcy,
John Talbot Power.

WEXFORD (BOROUGH).
Richard Joseph Devereux.

NEW ROSS.
Patrick McMahon.

WICKLOW COUNTY.
William Wentworth Fitzwilliam Dick,
Hon. Henry William Wentworth Fitzwilliam.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *TWENTIETH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 10 DECEMBER, 1868, IN THE
THIRTY-SECOND YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, 10*th December*, 1868.

THE NINETEENTH PARLIAMENT of the United Kingdom, which had been prorogued successively from the 31st day of July, 1868, to the 8th day of October; thence to the 26th day of November; was dissolved by Proclamation on the 11th day of November: by which Proclamation, also, new Writs were ordered to be issued for the calling a new Parliament; which Writs were made returnable on Thursday the 10th day of December; on which day it met for Despatch of Business.

THE PARLIAMENT was opened by Commission.

The HOUSE of PEERS being met,

THE LORD CHANCELLOR acquainted the House,

"That Her Majesty, not thinking fit to be personally present here this day, has been pleased to cause a Commission to be issued under the Great Seal, in order to the opening and holding of this Parliament."

Then Five of the Lords Commissioners, namely—The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Earl de Grey and Ripon), The LORD PRIVY SEAL (The Earl of Kimberley), The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount Sydney), and The Marquess of Ailesbury (The MASTER OF THE HORSE), being in their Robes, and seated on a Form placed between the Throne and the Woolsack, commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House, to hear the Commission read."

Who being come;

The LORD CHANCELLOR said—

"My Lords, and Gentlemen,

"HER MAJESTY not thinking fit to be present here this day in Her Royal Person, hath been pleased, in order to the opening and holding of this Parliament, to cause Letters Patent to be issued under Her Great Seal, constituting us and several other Lords therein named Her Commissioners, to do all things, in Her Majesty's name, on Her part necessary to be performed in this Parliament: This will more fully appear by the Letters Patent themselves, which must now be read."

Then the said Letters Patent were read by the Clerk. And then

THE LORD CHANCELLOR said—

"My Lords, and Gentlemen,

"We have it in command from Her Majesty to let you know, That as soon as the Members of both Houses shall be sworn, the Causes of Her Majesty's calling this Parliament will be declared to you; and it being necessary a Speaker of the House of Commons should be first chosen, it is Her Majesty's Pleasure that you, Gentlemen of the House of Commons, repair to the Place where you are to sit, and there proceed to the Choice of some proper Person to be your Speaker; and that you present such Person, whom you shall so choose, here, To-morrow, at two o'clock, for Her Majesty's Royal Approbation."

Then the Commons withdrew.

The Right Honourable Sir William Page Wood, Knight, having been appointed Lord Chancellor, and being present—Sat Speaker.

House adjourned during pleasure.

House resumed.

PRAYERS.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the First Session of the Twentieth Parliament of the United Kingdom: The same was Ordered to lie on the Table.

Certificate of the Election of Fifteen Representative Peers for Scotland, certifying also with respect to the Sixteenth Peer that the Votes for The Earl of Kellie and The Lord Rollo were equal—*Delivered*, and read.

Several Lords—Took the Oath.

House adjourned at half past Four o'clock, till To-morrow, Two o'clock.

The Lord Chancellor

HOUSE OF COMMONS,

Thursday, 10*th December*, 1868.

The House met at Two of the clock.

On which day, being the day appointed by the Royal Proclamation for the meeting of the new Parliament, *Sir Denis Le Marchant*, Baronet, Clerk of the House of Commons, and *Sir Thomas Erskine May*, and *Henry Ley*, Esquire, Clerks Assistants, attending in the House, and the other Clerks attending, according to their duty, *Charles Romilly*, Esquire, Clerk of the Crown in Chancery in *Great Britain*, delivered to the said *Sir Denis Le Marchant* a Book, containing a List of the Names of the Members returned to serve in this Parliament.

Several of the Members repaired to their seats.

A Message was delivered by *Colonel Clifford*, Yeoman Usher of the Black Rod:

"Gentlemen,

"The Lords, authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers, to hear the Commission read."

Accordingly, the House went up to the House of Peers;—and a Commission having been read for opening and holding the Parliament, The Lords Commissioners directed the House to proceed to the Election of a Speaker, and present him To-morrow at Two of the clock in the House of Peers, for the Royal Approbation.

And the House being returned;

ELECTION OF A SPEAKER.

THE RIGHT HONOURABLE SIR GEORGE GREY, addressing himself to the Clerk (who, standing up, pointed to him, and then sat down), said:—Sir Denis Le Marchant, in compliance with the communication which has just been addressed to us by the Crown, it is our duty now to proceed without delay to the election of a Speaker, and I have great satisfaction in proposing that my right hon.

Friend the Member for North Nottinghamshire (Mr. John Evelyn Denison) should be chosen to fill that honourable and important office. I have the greater satisfaction in submitting this proposal to the House, because I have every reason to believe that it is one which will meet with its unanimous concurrence. Twelve years, or nearly twelve years, have now passed since, on a vacancy in the office of Speaker, Mr. Denison's long experience as a private Member of this House, his high character, his sedulous attention to the business of the House, especially to that important branch of it which relates to private legislation, and his intimate acquaintance with the Rules and Orders of the House, pointed him out as a fit successor to one who had long filled the Chair of this House with eminent ability, the present Viscount Eversley. In two subsequent Parliaments the House of Commons has ratified the choice first made in 1857, and has thereby shown a gratifying and well-merited proof of its approval of Mr. Denison's conduct in the Chair, and of its confidence in the judgment and impartiality with which he has discharged the duties—duties laborious, and often very difficult—which attach to the office of Speaker. Mr. Denison's Parliamentary life now extends, I believe, over a period of more than forty years, during nearly twelve of which he has occupied the Chair of this House, and we all rejoice to know that he still retains that physical and mental vigour which are required for the efficiency of the office of Speaker. The present House of Commons contains, I believe, an unusually large proportion of new Members, and it is, therefore, the more important that we should choose to preside over our debates a Member of long experience and tried capacity, who will be able by the firm, but, at the same time, moderate and forbearing, exercise of his authority, to enforce, with the general concurrence of the House, those regulations, the due observance of which is essential, not only to the order and dignity, but to the real freedom of our discussions. There are, however, other duties besides those which are performed while sitting in the Chair of this House which devolve upon the Speaker, and in which every Member of this House has a deep interest. To those who have long had seats in this House I need say nothing as to the courteous and admirable manner in which Mr. Denison has discharged those duties; but to those Members who are about for the first time to take their seats, I may state with confidence that on all occasions on which they may have recourse to Mr. Denison, if he should be elected to be our Speaker, on any matter of doubt or difficulty, they will find him ready to give the most patient and careful consideration to every inquiry addressed to him, and to all facts submitted to him, and they will receive from him information on which they may confidently rely, and counsel which they cannot fail in doing well implicitly to follow. The unanimity which I have ventured to anticipate renders it unnecessary that I should trespass at any length upon the House. I will only, therefore, express the gratification I feel, that coming, as so many of those do whom I have the honour to address, fresh from scenes of keen political strife and contest, with cheers and counter-cheers—and perhaps sounds of a less agreeable nature which are heard at the hustings—still ringing in their ears, ominous of future political warfare within these walls, it has been thought right, on this the first meeting of a new Parliament, to lay aside for a moment the weapons of party warfare and to join with one voice—as I hope we are about to do—in placing in the Chair of this House one who will adorn it, one who we know will, if necessary maintain all the privileges of the House, who will fill the Chair with honour to himself, with satisfaction to the House, and with advantage to the public interests. I will only add that this unanimity may, I hope, be taken as the best possible assurance that, from both sides of the House and from all parties within it, the Speaker, in the judicious exercise of his authority, will receive that hearty and willing support which really constitutes the strength of the authority with which he is intrusted. I beg to propose to the House for their Speaker the Right honourable John Evelyn Denison, and move "That the Right honourable John Evelyn Denison do take the Chair of this House as Speaker."

The Right Honourable SPENCER HORATIO WALPOLE: Sir Denis Le Marchant, at the request of Members on both sides of the House, and of those Gentlemen who naturally and properly have the greatest influence in this House, I rise with great pleasure to second the proposition which my right hon. Friend the Member for Morpeth (Sir George Grey) has so judiciously and ably submitted to our consideration. I mention that I do this with the concurrence of those who have, justly and properly, the highest influence in this House, because I hope it will show that my right hon. Friend the Member for Morpeth was not mistaken in his anticipations that the proposal he made will be—as I hope and believe—unanimously accepted by every part of the House. My right hon. Friend has enumerated some of the duties which attach to the office of Speaker, and has pointed out how ably those duties, with regard to the private as well as the Public Business of the House have been discharged by the right hon. Member for North Nottinghamshire (Mr. Denison). I might follow him further by drawing a distinction between those who are older Members of this House, and those who have now come for the first time within its walls. With regard to the former I will only say, that their knowledge of the care and attention, of the firmness and fairness, of the honesty and impartiality which Mr. Denison has always shown in that now vacant Chair, fully entitle him, in their opinion, to the honour of being elected there again. With regard to the new Members—those who come for the first time into this House—perhaps I might venture to point out to them some of the qualifications which the Speaker may be expected to have, and which, I believe, they will find that Mr. Denison, when elected, does eminently possess. We require, first of all, a long experience, a practical knowledge of Parliamentary Business, a vigilant jealousy of our rights and liberties, and the highest regard for the honour of this distinguished Assembly; and added to this—what I think is as important as anything else—a steady adherence to the traditions of the past, with a judicious application of those traditions to any new circumstances or emergencies that may happen to arise. Having enumerated these qualifications for the office of Speaker, I believe I may honestly assure the younger Members of the House—an assurance in which the older Members will bear me out—that those qualifications unquestionably belong to my right hon. Friend (Mr. Denison). Even were this an ordinary occasion, there would, therefore, be an obvious propriety in inviting Mr. Denison to take that Chair; but this is not an ordinary occasion, and there are special reasons which make it important that the knowledge and experience which Mr. Denison possesses should now be given for the benefit of this House by his filling the high office of Speaker. I allude, of course, to the great and extensive changes which have been made in the primary elements of the representative system of this country. The proper working of that system can be best secured by having a person sitting in that Chair who can preside over our councils, and, if necessary, guide and direct them, with an authority which belongs only to those who have filled the duties of that Chair so worthily and efficiently as Mr. Denison has done. And if the independence and authority of this House be dear, as I trust is the case, to our hearts, I think I may add that the usages and customs of Parliamentary life will best secure that independence and authority when we have in the Chair a person who hitherto has been able to do as he may still be required to do—to interpret, to preserve, and to enforce those laws and rules on which the very life of our independence and authority depends. With these few remarks I beg to second the proposition which has been made by my right hon. Friend the Member for Morpeth, and I trust that the words which he uttered will be found to be true, and that Mr. Denison will now be invited to the Chair, with the spontaneous and unanimous approbation of all the Members of this House.

The House then calling Mr. Evelyn Denison to the Chair—

Mr. EVELYN DENISON stood up in his place and said: I am deeply moved, the House will believe, by the words which have been spoken by my right hon. Friends, and by the manner in which my nomination has been accepted by the House. The House proposes to do me a great honour, and it has largely enhanced the value of that honour by the manner in which it has been conferred. After filling the Chair in three Parliaments, to have a nomination proposed from both sides of the House, and accepted with general concurrence, is an acknowledgment highly prized, and which can never be forgotten by me. It would be unbecoming in me to occupy the time of the House by a single unnecessary word, and I confine myself to the simple expression of my thanks. Whatever of health and strength may be yet granted to me I freely dedicate to the service of the House, and I now submit myself to its pleasure.

The House then again unanimously calling MR. EVELYN DENISON to the Chair, he was taken out of his place by the said Right honourable Sir George Grey and the Right honourable Spencer Horatio Walpole, and by them conducted to the Chair.

Then MR. SPEAKER ELECT, standing on the upper step, said: I was about to prefer a request to the House; but I feel, by the manner in which the proceedings of to-day have been conducted, that this favour has been already virtually granted, I was about to ask that the full measure of gracious confidence and generous support which has been afforded me on past occasions, and by which alone the duties of my office can be effectually performed, may be still extended to me. My right hon. Friend who seconded the nomination (Mr. Walpole), has observed that this is not an ordinary occasion, and that new responsibilities devolve in some degree upon us all, and perhaps more particularly on the person who is chosen to preside over this House. We are met to-day under a new state of the electoral law. The late House of Commons was considered not adequately to represent the great body of the people—the present House has been elected on the basis of household suffrage. It has thus been endowed with a considerable increase of power. Whatever measures it may, after due deliberation, consider necessary for the public good, it will doubtless deal with boldly and firmly. At the same time, it will not forget that the great grace and ornament of strength is moderation in its exercise—asserting itself, but respecting the rights of others; and this House has always in its own proceedings acted in that spirit. It has afforded protection to minorities, it has permitted freedom of speech and ample latitude of debate, and without doubt it will not depart from that course. I hope and firmly believe, that this House will prove itself worthy of its high destinies, and that it will be found second to none of those which have preceded it in those great qualities which have made the name of the House of Commons famous as the cradle of liberty, and the bulwark of order and of law. I once more make my grateful and respectful acknowledgments for the great honour you have conferred upon me.

Then—

THE LORD ADVOCATE: Sir, the pleasant and honourable, but to me unexpected, task, has—in the absence of those by whom it would have been appropriately discharged—devolved upon me of offering to you, in the name of the House, a few words of congratulation upon the distinction to which the acclamations of its Members have now, for the fourth time, raised you. Mindful, as many of us are, of past Parliaments, in which, during many an eventful day and night spent within these walls, you have maintained the privileges, the order, the dignity and the honour of the House, it is a matter of deep congratulation and gratification to us that, notwithstanding the exactions which its duties have necessarily imposed upon you, you have found yourself prepared once more to undertake its arduous labours and anxieties. I am sure that I only speak the general feeling when I say that, as far as depends on the House over which you have been called upon to preside, the same personal respect and regard—the same loyal and cheerful deference to the authority with which the Constitution and your position invest you—the same ready support to your vindication of the privileges of this House—will be cheerfully accorded in the future as, I believe, they have been experienced by you in the past. In your position—first among the commoners of England, first among the commoners of this nation, and entitled by your office to speak for them in Parliament assembled—I may perhaps express the impression that you may find weight added to your words, as well as lustre to the seat which you occupy, by the fact that in this Parliament you preside over an Assembly which, in a wider sense than ever, is composed of the representatives of the people. Sir, that health and comfort and all prosperity may be around you in the seat which you occupy, lightening the severity of your labours, and inspiring their discharge with vigour, is the fervent and earnest aspiration of us all. I beg to move that the House do now adjourn.

Motion *agreed to.*

House adjourned at Three o'clock, till To-morrow.

HOUSE OF LORDS,

Friday, 11*th December*, 1868.

The House met; and Five of the LORDS COMMISSIONERS, namely — The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Earl de Grey and Ripon), The LORD PRIVY SEAL (The Earl of Kimberley), The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount Sydney), and The DUKE OF ARGYLL (Secretary of State for India), being in their Robes, and seated on a Form placed between the Throne and the Woolsack, (commanded the Yeoman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House."

And the Commons being at the Bar;

SPEAKER OF THE HOUSE OF COMMONS, PRESENTED AND APPROVED.

MR. EVELYN DENISON, Speaker Elect, said—

"MY LORDS,

"I have to acquaint your Lordships that, in obedience to Her Majesty's Commands, Her Majesty's faithful Commons, in the exercise of their undoubted right and privilege, have proceeded to the election of a Speaker, and that their choice has fallen on myself. I now present myself at your Bar, and submit myself, with all humility, to Her Majesty's gracious approbation."

THE LORD CHANCELLOR;

"MR. DENISON,

"We are commanded to assure you that Her Majesty is fully sensible of your zeal for the public service, of your ample sufficiency to perform the important duties which Her faithful Commons have selected you to discharge, and Her Majesty does most readily approve and confirm you as their Speaker."

The Lord Advocate

Then MR. SPEAKER said—

"MY LORDS,

"I submit myself, with all humility and gratitude, to Her Majesty's gracious commands. It is now my duty, in the name and on behalf of the Commons of the United Kingdom, to lay claim to all their ancient and undoubted rights and privileges. I humbly petition Her Majesty for freedom of speech in debate, freedom from arrest for their persons and servants, and above all, for freedom of access to Her Majesty when occasion should require, and that the most favourable construction should be put upon all their proceedings. And with regard to myself, I pray that if any error should be committed, it may be imputed to myself, and not to Her Majesty's faithful Commons."

THE LORD CHANCELLOR;

"MR. SPEAKER,

"We have it in further command to inform you that Her Majesty doth most readily confirm all the rights and privileges which have ever been granted to or conferred upon the Commons by any of Her Royal predecessors. With respect to yourself, Sir, although Her Majesty is sensible that you stand in no need of such an assurance, Her Majesty will ever put the most favourable construction upon your words and actions."

Then the Commons withdrew.

WRITS AND RETURNS electing The Lord Headley a Representative Peer for Ireland in the Room of the late Earl of Bantry, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto—*Delivered* (on Oath), and Certificate read.

Several Lords—Took the Oath.

House adjourned at Four o'clock, to Tuesday next, Two o'clock.

HOUSE OF COMMONS,

Friday, 11*th December*, 1868.

The House met at Two of the clock.

The House being met, and MR. SPEAKER ELECT having taken the Chair, a Message was delivered by the Yeoman Usher of the Black Rod:

"MR. SPEAKER,

"The Lords authorized by virtue of Her Majesty's Commission, desire the immediate attendance of this Honourable House in the House of Peers."

Accordingly, Mr. Speaker Elect, with the House, went up to the House of Peers, where he was presented to the said Lords Commissioners for Her Majesty's approbation.

Then the LORD CHANCELLOR, one of the said Lords Commissioners, signified Her Majesty's approbation of Mr. Speaker Elect.

The House being returned;—

MR. SPEAKER said: I have to report to the House that this House proceeded to the House of Peers, where Her Majesty was pleased, by Her Royal Commissioners, to approve of the choice they have made of myself as their Speaker. I then, on their behalf, laid claim, by humble petition to Her Majesty, to all their ancient rights and privileges, to freedom of speech and of debate, to freedom from arrests of their persons and servants, and to free access to the presence of Her Majesty whenever occasion might require; and further, that the most favourable constructions might be put upon all our actions: all which Her Majesty by the said Commissioners was pleased to allow and to confirm in as ample and complete a manner as they have ever been confirmed by Herself or by any of Her Royal predecessors. And then MR. SPEAKER repeated his most respectful acknowledgments to the House for the high honour they had done him.

MR. SPEAKER then put the House in mind, that the first thing to be done was to take and subscribe the Oath required by law.

MR. SPEAKER then took and subscribed the Oath, first alone; and after him several other Members took and subscribed the Oath; and several Members, being of the People called Quakers, made and subscribed the Affirmation required by Law.

House adjourned at a quarter after Five o'clock.

HOUSE OF COMMONS,

Saturday, 12*th December*, 1868.

The House met at Two of the clock.

Several other Members took and subscribed the Oath.

House adjourned at half after Three o'clock.

HOUSE OF COMMONS,

Monday, 14*th December*, 1868.

The House met at Two of the clock.

Several other Members took and subscribed the Oath; and a Member, being one of the People called Quakers, made and subscribed the Affirmation required by Law.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Tuesday, 15*th December*, 1868.

A SPEECH OF THE LORDS COMMISSIONERS.

The Commons, who were sent for, being at the Bar,

The LORD CHANCELLOR *delivered* the Speech of the LORDS COMMISSIONERS to both Houses of Parliament, as follows:—

"My Lords and Gentlemen,

"We have it further in command from Her Majesty to acquaint you that, since the time when Her Majesty deemed it right to call you together, for the consideration of many grave and important matters, several vacancies have occurred in the House of Commons owing to the acceptance of Office from the Crown by Members of that House. It is therefore Her Majesty's pleasure that an opportunity may now be given to issue Writs for supplying the vacancies so occasioned, and that, after a suitable Recess, you may proceed to the consideration of such matters as will then be laid before you."

Then the Commons withdrew.

House adjourned during pleasure.

House resumed.

NEW PEER.

The Earl Granville, One of Her Majesty's Principal Secretaries of State, acquainted the House that Her Majesty had been pleased to create the Right Honourable Sir William Page Wood, Knight, Lord Chancellor of Great Britain, a Peer of this Realm by the Title of Baron Hatherley of Down-Hatherley in the County of Gloucester, and his Lordship, having retired to robe, was introduced in the usual Manner.

The Earl of Abergavenny—Sat first in Parliament after the Death of his Father.

The Lord Carysfort—Sat first in Parliament after the Death of his Father.

William Ernest Baron Feversham, having been created Viscount Helmsley of Helmsley and Earl of Feversham of Ryedale in the North Riding of the County of York—Was (in the usual Manner) introduced.

ADJOURNMENT OF THE HOUSE.

EARL GRANVILLE: I may state to your Lordships that, the late Government having resigned, Her Majesty commissioned Mr. Gladstone to form a Government, which he has succeeded in doing. Under these circumstances I venture to think that your Lordships will not deem it unreasonable that I should move the Adjournment of the House to Thursday, the 11th of February.

Motion *agreed to.*

House adjourned at Three o'clock, to Thursday the 11th of February next, Two o'clock.

* * *

HOUSE OF COMMONS,

Tuesday, 15*th December*, 1868.

The House met at Two of the clock.

Message to attend the Lords Commissioners;

The House went; and being returned;

MR. SPEAKER *reported*, That the Lords Commissioners under the Great Seal for opening and holding this Parliament had made a Communication to both Houses, which Mr. Speaker read to the House, as follows:—

"My Lords, and Gentlemen,

"We have it further in command from Her Majesty to acquaint you that, since the time when Her Majesty deemed it right to call you together, for the consideration of many grave and important matters, several vacancies have occurred in the House of Commons owing to the acceptance of Office from the Crown by Members of that House. It is therefore Her Majesty's pleasure that an opportunity may now be given to issue Writs for supplying the vacancies so occasioned, and that, after a suitable Recess, you may proceed to the consideration of such matters as will then be laid before you."

Several other Members took and subscribed the Oath.

NEW WRITS.

MR. AYRTON: In asking the House to proceed to order the issue of New Writs, in accordance with the gracious communication which this House has just received from the Crown, it may be convenient for me to state the course proposed to be pursued in consequence of the great change that has taken place through the passing of the law of last year regulating the proceedings at elections. Under the regulations which have now been superseded, petitions against the return of Members were presented to this House within such time as the House prescribed under power conferred upon it by statute, and in the exercise of that power the House used ordinarily to provide by a Sessional Order that all such petitions should be presented within fourteen days after the return of the election. But in consequence of the law which was passed last year election petitions will now be presented to a tribunal independent of this House—namely, to the Court of Common Pleas in England, and to a similar Court in Scotland and Ireland. Such petitions are to be presented within twenty-one days after the returns have been delivered to the officer appointed to receive them, and therefore this House cannot now proceed as it used to do in this matter. We must now consider what will be the most convenient course to pursue in consequence of the change that has taken place. If I were to ask what is the most convenient course, no doubt, if there are differences of opinion among hon. Members, I should give rise to considerable discussion; but I think the House will agree that as we are here only for a particular purpose, and many hon. Members therefore are not in attendance, and as there are necessarily absent all the responsible Ministers of the Crown, and the Law Officers for England and Ireland, nothing would be more inconvenient than for us to enter upon any discussion as to the course which the House might pursue if we were in search of any novel mode of procedure. It is therefore proposed that we shall confine ourselves to-day strictly within the limits of the practice which prevailed up to the close of the last Parliament, and that we shall to-day only move the issue of such Writs as cannot possibly lead to any discussion—namely, the Writs in those cases in which the period of petitioning has expired. I therefore trust that hon. Members will not embark upon any discussion which is not called for by the course which is proposed by the Government. I may, however, mention that there are several cases in which the period for petitioning has not yet expired, and in order to avoid controversy it will, perhaps, be convenient that the House should adjourn until a day when there can be no question upon the point—the 29th of the present month. Those Writs, with regard to which the time for petitioning has not yet expired, will then be moved. I thought it right to make this explanation to the House, in order that hon. Members may know why all the Writs are not moved for to-day, and why an adjournment is necessary. There is only one other question that can arise, and that is with reference to petitions against a sitting Member which do not claim the seat for the petitioner. I may remind the House that, according to the established usage up to the present time, whenever a petition has been presented, not claiming the seat on behalf of the petitioner, but merely asking that the election may be declared void, it has been usual, where the person returned has accepted Office under the Crown, to direct the New Writ to issue. We shall to-day adhere to that course, and in any case where a petition has been presented, but without claiming the seat, we shall move the issue of a New Writ.

For Greenwich, *v.* Right Hon. William Ewart Gladstone, First Commissioner of the Treasury; *for* Oxford City, *v.* Right Hon. Edward Cardwell, Secretary of State; *for* London University, *v.* Right Hon. Robert Lowe, Chancellor of the Exchequer; *for* Pontefract,. *v.* Right Hon. Hugh Culling Eardley Childers, First Commissioner of the Admiralty; *for* Birmingham, *v.* Right Hon. John Bright, President of the Board of Trade.

On Motion, that a New Writ be issued for London City in the room of the Right Honourable George Joachim Goschen, Commissioner of Poor Law,

MR. GOLDNEY said, that under the old system the House had cognizance of the petitions, and the criterion in issuing a Writ, as determined by the Speaker in 1859 in accordance with a precedent of 1852, was whether the seat was claimed by the petitioners or not. If the seat was claimed, the House declined to issue a Writ, while if otherwise the writ was issued. Under the Act of last Session the only knowledge which the House and the public had of a seat being petitioned against was derived from the official list of the petitions, which the Act prescribed to be drawn up. Now upon that list appeared the name of Mr. Goschen as one of the Members whose return was disputed, and the House had no official information as to whether the seat was claimed by the petitioner or not. He believed that, in point of fact, Mr. Goschen's seat was not claimed, though the seats of other Members were claimed. He had intended to move for a Return and copies of all election petitions; but the Speaker had ruled that he could only give notice of such a Motion, and the House must therefore consider whether, in the absence of any knowledge of the contents of the petition against Mr. Goschen, it would be right to issue the Writ. It was possible that some other person might be returned if the Writ was issued, and, supposing the seat claimed, the petitioner might be returned by order of the Judge, by which the House would be bound to abide, although a third party had since been elected. He did not know whether any evidence would be offered to satisfy the House the seat was not claimed, and he should be glad to hear an expression of opinion from the Chair as to the best course to be pursued under the circumstances.

SIR ROUNDELL PALMER agreed with the hon. and learned Member that in a case where the seat was claimed on petition it would now be as improper as it was formerly to issue a Writ, since the House could have no certain knowledge whether a vacancy existed; but he apprehended that the practice of the House had always been, and always would be, to receive information of facts known to its Members, which facts if disputed could, as in this instance, be verified in the most authentic manner. It might as well be said the House did not know Mr. Goschen had accepted Office, because no certificate or return of the fact was before them, as that they did not know there was no petition claiming the seat. The hon. and learned Member for the Tower Hamlets (Mr. Ayrton) must, before moving for the Writ, be taken to have satisfied himself that there existed no obstacle of the kind, and to have given an implied assurance of the fact of which the hon. and learned Gentleman opposite (Mr. Goldney) was equally cognizant—namely, that Mr. Goschen's seat was not claimed. That fact being admitted and notorious, he thought no further information was necessary.

Mr. COLLINS concurred with the hon. and learned member for Richmond (Sir Roundell Palmer) in thinking that the House should issue the Writ. Indeed, he thought they should consider whether they ought not to issue a Writ no matter whether the seat was claimed or not, for otherwise it was open to any elector or candidate to petition and claim the seat of a Cabinet Minister, thus delaying his re-election for a considerable period. If they invariably issued a Writ, the person wrongly returned at the second election would be in nearly the same position as the person originally returned —in other words, he would lose his seat. Facilities should not be offered for vexatious petitions, which might run the risk of interfering with the choice of the Crown. He believed the question was first raised in the case of Lord Chief Justice Cockburn's election for Southampton, and again in that of Lord Bury's return for Norwich. Lord Bury was re-elected, but no injustice was inflicted on his opponents, for they petitioned against the second return, on the ground that he was incapacitated by reason of bribery committed by his agents at the former election, and he was unseated. No wrong would be sustained by any parties by the issue of the Writ in all cases.

Sir Roundell Palmer

Mr. AYRTON would venture to deprecate a continuance of the discussion, since it could not lead to any immediate conclusion on the point raised by the hon. and learned Gentleman opposite (Mr. Goldney). When the House met for the despatch of business the subject would doubtless engage its attention, and any hon. Member would have an opportunity of expressing his views upon it. As to the petition against Mr. Goschen's return, he need hardly assure the House that he had informed himself properly upon the point. He held in his hand an office copy of that petition, and the petition did not claim the seat. The fact was admitted by his hon. and learned Friend, and, in making the Motion, he had acted under a full sense of responsibility and in accordance with the rule to which he had referred.

Motion *agreed to;* Writ *ordered.*

For Southwark, *v.* Right Hon. Austen Henry Layard, First Commissioner of Works; *for* Halifax, *v.* James Stansfeld, esquire, Commissioner of the Treasury; *for* Plymouth, *v.* Sir Robert Porrett Collier, knight, Attorney General; *for* Exeter, *v.* Sir John Duke Coleridge, knight, Solicitor General; *for* Bradford, *v.* Right Hon. William Edward Forster, Vice President of the Committee of Council for Education; *for* Ripon, *v.* Lord John Hay, Commissioner of the Admiralty; *for* Truro, *v.* Right Hon. John Cranch Walker Vivian, Commissioner of the Treasury; *for* Wareham, *v.* John Hales Montagu Calcraft, esquire, deceased.

House at rising to adjourn till *Tuesday* 29th December.

Several other Members took and subscribed the Oath.

House adjourned at half after Three
o'clock till Tuesday
29th December.

HOUSE OF COMMONS,

Tuesday, 29th December, 1868.

The House met at One of the clock.

NEW MEMBERS SWORN.

Right Hon. William Ewart Gladstone, *for* Greenwich; Right Hon. Edward Cardwell, *for* Oxford City; Right Hon.

Austen Henry Layard, *for* Southwark; Right Hon. Robert Lowe, *for* London University; Right Hon. Hugh Culling Eardley Childers, *for* Pontefract; Right Hon. William Edward Forster, *for* Bradford; Lord John Hay, *for* Ripon; Hon. John Cranch Walker Vivian, *for* Truro; Right Hon. George Joachim Goschen, *for* London City; James Stansfeld the younger, esquire, *for* Halifax.

The Right Hon. John Bright, Member for Birmingham, being one of the People called Quakers, made the Affirmation required by Law.

Several other Members took and subscribed the Oath.

NEW WRITS.

On Motion, that a new Writ be issued for Louth in the room of the Right Hon. Chichester Samuel Parkinson Fortescue, Chief Secretary to the Lord Lieutenant of Ireland,

VISCOUNT BURY said, that with regard to the Writ which had just been moved for, he thought it was quite right that some Member of this House should take notice of the rather exceptional circumstances under which the House had assembled. The fact of their having met in the middle of the Christmas holydays sufficiently proved the inconvenience to which he was about to call attention. Indeed, the inconvenience to Members was so great that he believed the Secretary to the Treasury was astonished that the House had been got together at all; and he shuddered to think of the inconvenience which would have arisen if the Government had been unable to make a House, and if they had been obliged to adjourn from time to time until some fortuitous occurrence of events should have brought a sufficient number of Members together. The only reasons which led to the holding of an Autumn Session had disappeared before the assembling of Parliament on the 10th of December. It was necessary, however, that the ceremony should be gone through in order that the right hon. Gentleman the Member for Greenwich (Mr. Gladstone) might go to consult his constituents. It was not sufficient that the right hon. Gentleman had, during the previous election, delivered speeches which, in his opinion, would become the Reform book of the future and the *Vade Mecum* of Irish Church repealers. Nor was it sufficient that the right hon. Gentleman had been designated to his present high Office by the people at large, and that he had been called to it by august decision of his Sovereign, but it was necessary that he should go again to Greenwich, as if the right hon. Gentleman's constituents had not already heard sufficient of his policy and intentions. As long as this custom had any real and useful effect the House looked on with indifference, but when, in order to carry on the provisions of a statute passed in the reign of Queen Anne, the convenience of the House was affected so closely, it was worthy of consideration whether the custom was not unsuited to the requirements, and contrary to the opinions of the present day. The cost of a Session to the nation was very considerable, and in addition to this there was the inconvenience to hon. Members of which he had spoken. Undoubtedly it was right, when the Act of Queen Anne was passed, and when the power of the Crown was on the increase, that every avenue should be jealously guarded, but nobody would venture to say that the power of the Crown was now on the increase and ought to be diminished. On the contrary, some might concur with Hallam, that it was somewhat overshadowed by the growing power of the House of Commons. This being so, it was not unreasonable that the House should in future refrain from acting upon the statute. If some Members of a new Ministry ought to go back to the constituencies, all ought; but only seven out of the fifteen Members of the present Cabinet and eight out of sixteen subordinate Members of the Government were, in the present case, under the necessity of doing so. The noble Lord, having briefly alluded to the circumstances under which the compromise of 1707 was effected, said that with regard to the observations made on a previous day concerning the Writ issued for the City of London, he was of opinion that no Writ ought to issue when there was a petition claiming the seat to which the Writ referred. In conclusion, he thought he should venture to put on the Paper a Notice of his intention to bring forward a Bill to repeal the objectionable section of the Act of Queen Anne.

Motion *agreed to;* Writ *ordered.*

For Clare, *v.* Sir Colman Michael O'Loghlen, baronet, Judge Advocate General; *for* Kerry, *v.* Viscount Castlerosse, Vice Chamberlain of the Household; *for* Kildare, *v.* Right Hon. Otho Augustus FitzGerald, Comptroller of the Household; *for* Westmeath, *v.* Algernon William Fulke Greville, esquire, Groom in Waiting; *for* Mallow, *v.* Right Hon. Edward Sullivan, Attorney General for Ireland; *for* Wigtown District of Burghs, *v.* George Young, esquire, Solicitor General for Scotland; *for* Clackmannan and Kinross, *v.* William Patrick Adam, esquire, Commissioner of the Treasury; *for* Hawick District of Burghs, *v.* George Otto Trevelyan, esquire, Commissioner of the Admiralty; *for* Derbyshire (Southern Division), *v.* Sir Thomas Gresley, baronet, deceased.

House adjourned at a quarter before Two o'clock till Tuesday, 16th February next.

HOUSE OF LORDS,

Thursday, 11*th February*, 1869.

SAT FIRST.

The Lord Bishop of Derry and Raphoe —Took the Oath.

House adjourned at a quarter past Two o'clock, to Tuesday next, Two o'clock.

HOUSE OF LORDS,

Tuesday, 16*th February*, 1869.

THE QUEEN'S SPEECH.

Five of the Lords Commissioners, namely—The LORD CHANCELLOR, The LORD PRESIDENT OF THE COUNCIL (The Earl de Grey and Ripon), The LORD PRIVY SEAL (The Earl of Kimberley), The LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount Sydney), and The MARQUESS OF AILESBURY (Master of the Horse), being in their Robes, and seated on a Form between the Throne and the Woolsack, commanded the Gentleman Usher of the Black Rod to let the Commons know "The Lords Commissioners desire their immediate Attendance in this House."

Who being come, with their Speaker—

The LORD CHANCELLOR *delivered* HER MAJESTY'S Speech to both Houses of Parliament, as follows:—

"*My Lords, and Gentlemen,*

"I RECUR to your advice at the earliest period permitted by the arrangements consequent upon the retirement of the late Administration.

"And it is with special interest that I commend to you the resumption of your labours at a time when the popular branch of the Legislature has been chosen with the advantage of a greatly enlarged enfranchisement of My faithful and loyal people.

"I am able to inform you that My relations with all Foreign Powers continue to be most friendly; and I have the satisfaction to believe that they cordially share in the desire by which I am animated for the maintenance of peace. I shall at all times be anxious to use My best exertions for the promotion of this most important object.

"In concurrence with My Allies I have endeavoured, by friendly interposition, to effect a settlement of the differences which have arisen between Turkey and Greece; and I rejoice that our joint efforts have aided in preventing any serious interruption of tranquillity in the Levant.

"I have been engaged in negotiations with the United States of North America for the settlement of questions which affect the interests and the international relations of the two countries; and it is My earnest hope that the result of these negotiations may be to place on a firm and durable basis the friendship which should ever exist between England and America.

"I have learnt with grief that disturbances have occurred in New Zealand,

and that at one spot they have been attended with circumstances of atrocity. I am confident that the Colonial Government and people will not be wanting either in energy to repress the outbreaks, or in the prudence and moderation which I trust may prevent their recurrence.

"*Gentlemen of the House of Commons,*

"The Estimates for the expenditure of the coming financial year will be submitted to you. They have been framed with a careful regard to the efficiency of the Services, and they will exhibit a diminished charge upon the country.

"*My Lords, and Gentlemen,*

"The ever-growing wants and diversified interests of the Empire will necessarily bring many questions of public policy under your review.

"The condition of Ireland permits Me to believe that you will be spared the painful necessity which was felt by the late Parliament for narrowing the securities of personal liberty in that country by the suspension of the Habeas Corpus Act.

"I recommend that you should inquire into the present modes of conducting Parliamentary and Municipal Elections, and should consider whether it may be possible to provide any further guarantees for their tranquillity, purity, and freedom.

"A measure will be brought under your notice for the relief of some classes of occupiers from hardships in respect of Rating, which appear to be capable of remedy.

"You will also be invited to direct your attention to Bills for the extension and improvement of Education in Scotland; and for rendering the considerable revenues of the Endowed Schools of England more widely effectual for the purposes of instruction.

"A measure will be introduced for applying the principle of representation to the control of the County Rate, by the establishment of Financial Boards for Counties.

"It will be proposed to you to recur to the subject of Bankruptcy, with a view to the more effective distribution of Assets and to the Abolition of Imprisonment for Debt.

"The Ecclesiastical arrangements of Ireland will be brought under your consideration at a very early date, and the legislation which will be necessary in order to their final adjustment will make the largest demands upon the wisdom of Parliament.

"I am persuaded that, in the prosecution of the work, you will bear a careful regard to every legitimate interest which it may involve, and that you will be governed by the constant aim to promote the welfare of religion through the principles of equal justice, to secure the action of the undivided feeling and opinion of Ireland on the side of loyalty and law, to efface the memory of former contentions, and to cherish the sympathies of an affectionate people.

"In every matter of public interest, and especially in one so weighty, I pray that the Almighty may never cease to guide your deliberations, and may bring them to a happy issue."

Then the Commons withdrew.

REPRESENTATIVE PEER FOR IRELAND —The Earl of Rosse, in the room of the late Lord Farnham, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto — Writs, &c. *Delivered* (on Oath), and Certificate read.

SELECT VESTRIES.

Bill, *pro formâ*, read 1^a.

THE QUEEN'S SPEECH having been *reported* by The LORD CHANCELLOR;—

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

THE EARL OF CARYSFORT, rising to move an humble Address to Her Majesty in answer to Her Majesty's most gracious Speech, said: My Lords, it is with great diffidence that I rise to address your Lordships for the first time, knowing, as I do, that there are many other Members of your Lordships' House who would perform the task that I am about to attempt with far more ability. I have not even that plea of youth and inexperience for your Lordships' indulgence which has been often put forward by many who have been placed in a similar position, for though I have never felt myself called upon to take an active part in the debates of the other House, I have, nevertheless, for ten years had the privilege of listening to and profiting by them. I can only, therefore, say I am

> "A plain, blunt man;
> I have neither wit, nor words, nor worth,
> Action, nor utterance, nor the power of speech
> To stir men's blood;"

and, as such, I throw myself upon your Lordships' indulgence. I will only solicit your attention while I briefly touch upon the different matters brought before your notice in the order in which they stand in Her Majesty's gracious Speech.

My Lords, in reviewing the topics recommended to the consideration of Parliament, I cannot help saying that I see rocks looming in the distance around which the breakers are foaming; but at the same time I believe that the vessel of the State is well manned, that its rigging is strong and new, and that its pilots are good pilots, whose well-tried zeal and ability peculiarly fit them to steer her through all her difficulties into quiet waters. It is satisfactory to reflect, moreover, that they are supported by a new Parliament representing a new constituency, which has been rendered, by the co-operation of all parties, more extensive and more popular than has ever hitherto been the case.

I am sure that it will be a matter of congratulation to your Lordships that Her Majesty, in the opening paragraphs of her Speech is able to inform you that her present relations with Foreign Powers are of a most peaceful and friendly character, and that through the mediation of the Powers assembled in the Conference at Paris, the difficulties which have arisen between Greece and Turkey are likely to be peacefully settled. I cannot avoid expressing my admiration at the moderation and forbearance which have been displayed by the Turkish Government throughout the whole crisis, which we hope has now been surmounted. At the same time I am sure that in yielding to the friendly representations of the great Powers, Greece will not only be doing that which is most consistent with her own dignity, but she will be showing a laudable disposition to contribute to the maintenance of the general peace.

But, my Lords, great as must be our satisfaction at learning that the ominous cloud that has darkened the Eastern horizon is about to be dispelled, still greater must be our satisfaction at the announcement that the disputes with America which have arisen from claims and counter-claims are likely to be firmly and durably settled by means of a Convention entered into by the predecessors of the present Government, and which, I trust, will be the means of averting a suicidal war, and placing these two nations upon that friendly footing which is so desirable. Whether the result of that Convention be successful or not depends upon the action of the American Senate; but as we have obtained the approval of the United States Government we are relieved from all imputation of delaying the equitable settlement of the existing difficulties. And I must in justice say, that should this Convention meet with a favourable issue, much of its success will be attributable to the frank and loyal endeavours of the honoured Minister of the United States, who, since he has been amongst us, has been most untiring in his zeal to bring about friendly relations between our country and his.

My Lords, the state of New Zealand calls for serious attention. I do not intend to dwell upon this subject, however, as my noble Friend who seconds the Address is so much better acquainted with all colonial matters than I am.

There are other matters of importance which are brought before your notice in the Royal Speech. They will require your serious attention, but they are chiefly of such a character as not to call forth any party opposition, and I will not, therefore, take up your Lordships' time in referring to them. I will only mention that your attention is particularly directed to the growing importance of local taxation, and to a good measure for improving middle-class education, and for employing more efficiently the considerable revenues of our endowed schools.

My Lords, I will now come to what I may call the chief paragraphs of Her Majesty's Speech—those which refer to the vital question of Ireland. My Lords, the bitter feelings engendered by centuries of misrule are not be eradicated in a single day, nor are the unhappy memories associated with the past, darkened as they are by penal laws and the injustice arising from religious ascendancy sanctioned by the State, to be obliterated suddenly from the minds of a people sensitive and high-spirited like the Irish. I am happy to think that a brighter day is dawning for Ireland; that "justice to Ireland," is no longer the mere expression of a Minister or the watchword of a party; it has become the fixed and firm resolve of the national will. The national conscience is at length awakened to the conviction that Ireland can no longer be governed upon exceptional principles, and the national voice, responding to its conscience, has pronounced, with an emphasis not to be mistaken, that our future policy towards Ireland must be a policy of right and justice, and must have for its object the conciliation of her people. I know well enough that during the last forty years much has been done to ameliorate the condition of Ireland; but much yet remains to be accomplished; and I cannot help thinking that, now that the mischievous agitation caused by the Fenian movement has in a great measure subsided, the moment is peculiarly propitious for the introduction of measures such as are likely to satisfy the Irish people. My Lords, I learn with great pleasure that the first step which the Government propose to take in this direction is the disestablishment and disendowment of the Irish Church. No doubt the attention of Parliament will be invited in a short time, to the consideration of this important question; and I am confident that when the policy of the Government is propounded in detail it will be found that due regard has been paid to vested interests. It is impossible to conceal from ourselves that the Irish Protestant Church has never taken a firm hold on the affections of the great mass of the people; that at this moment the Protestants are but 700,000 to nearly 5,000,000 of Roman Catholics; and that on the whole the Church of the minority has been a signal failure. Long ago, Pitt, in one of his speeches, pointed out that the Irish Parliament felt that the claims of the Roman Catholics threatened the existence of Protestant ascendancy; while, on the other hand, the great body of the Catholics felt the establishment of the Protestant national Church, and their exclusion from the exercise of certain rights and privileges, to be a grievance. I am myself a staunch member of the Protestant Church, and I as staunchly believe that the disestablishment of the Irish Church will not weaken it in any degree. On the contrary, I agree with the opinion of the noble Earl (Earl Russell), who, in one of his Letters on the State of Ireland, declares his belief that like the sapling which, when removed from the green-house a tender and fragile plant into the open air, grew from a little feathery bush into a magnificent tree, so the Irish Protestant Church, when no longer dandled and nurtured by the State, will be stronger from the encounter with the fresh and vigorous breezes of heaven, and the light poured down upon it. And to put it on the grounds of common fairness, I will ask if the reasonable demands of millions of Her Majesty's subjects call for the adoption of this measure, are they to be rashly rejected because, in the opinion of some persons, certain contingent evils may possibly arise from it? Let Ireland no longer be ruled by a rod of iron—let the loyalty and love of her children be appealed to. For 300 years that religion, which to them—whatever its errors to us—has been a cherished faith, has been exposed to opprobrium and scorn, and even to cruel oppression —but it has maintained its hold on their hearts and affections — it has been strengthened by every insult, it has been purified by every struggle, and were you to take from it its sacraments, they would say, as Shylock said in a less noble cause—

> "You do take my house
> When you do take the prop that doth sustain my house."

If you steel their hearts by unjust legislation, you render them insensible to the claims of duty and justice; and what wonder if the devil of discontent is let loose, and that they break out from time to time in those wild shrieks of vengeance which are a slur and blot upon the national character? Let it be the business of Parliament to apply its wisdom to the consideration of this great subject. Begin by giving them an unfettered Church; and by thus showing justice you will teach them, in their turn, to act justly. Your recompense may not be immediate; it may not be rendered to you by human hands; but, in acting thus, you will not only be making Ireland a bond of union and strength to the Empire, instead of a source of weakness, but you will be doing that which is due to your own conscience, and to the better service of Him to whom all worship is due. The noble Earl concluded by moving an humble Address to Her Majesty in Answer to Her Majesty's most gracious Speech, as follows:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the gracious Speech which Your Majesty has commanded to be made to both Houses of Parliament.

"WE humbly thank Your Majesty for informing us that Your Majesty's relations with all Foreign Powers continue to be most friendly; and we humbly express our satisfaction that those Powers cordially share Your Majesty's desire for the maintenance of peace. We humbly thank Your Majesty for informing us of Your Majesty's endeavours, in concurrence with Your Majesty's Allies, to effect a settlement of the differences which have arisen between Turkey and Greece; and we humbly express the gratification with which we learn that these joint efforts have aided in preventing any serious interruption of tranquillity in the Levant.

"WE humbly thank Your Majesty for informing us that Your Majesty has entered into negotiations with the United States of North America for the settlement of questions which affect the interests and international relations of the two countries; and we humbly assure Your Majesty that we share in Your Majesty's earnest hope that the result of these negotiations may be to place on a firm and durable basis the friendship which should ever exist between England and America.

"WE humbly assure Your Majesty that we have learnt with grief that disturbances have occurred in New Zealand, and that at one spot they have been attended with circumstances of atrocity; and also that we participate in Your Majesty's confidence that the Colonial Government and people will not be wanting either in energy to repress the outbreaks, or in the prudence and moderation which we trust will prevent their recurrence.

"WE humbly thank Your Majesty for informing us that the condition of Ireland leads Your Majesty to believe that we may be spared the painful necessity which was felt by the late Parliament for narrowing the securities of personal liberty in that country by the suspension of the Habeas Corpus Act.

"WE humbly express to Your Majesty the readiness with which we shall inquire into the present mode of conducting Parliamentary and Municipal Elections, and consider whether it may be possible to provide any further guarantees for their tranquillity, purity, and freedom.

"WE humbly thank Your Majesty for informing us that measures will be laid before us for the relief of some classes of occupiers from hardships in respect of Rating, which seem capable of remedy; for the extension and improvement of Education in Scotland; and for rendering the considerable revenues of the Endowed Schools of England more widely effectual for the purposes of instruction; and also for introducing the principle of representation to the control of the County Rate, by the establishment of Financial Boards for Counties.

"WE humbly thank Your Majesty for informing us that we shall be invited to recur to the subject of Bankruptcy, with a view to the more effective distribution of Assets and to the Abolition of Imprisonment for Debt.

"WE humbly assure Your Majesty that our serious attention shall be given to the Ecclesiastical arrangements of Ireland, and to the legislation which will be necessary in order to their final adjustment; and further that in the prosecution of this work we shall bear a careful regard to every legitimate interest which it may involve, and that we shall be governed by the constant aim to promote the welfare of religion through the principles of equal justice, to secure the action of the undivided feeling and opinion of Ireland on the side of loyalty and law, to efface the memory of former contentions, and to cherish the sympathies of an affectionate people.

"WE humbly assure Your Majesty that with Your Majesty we fervently pray that the Almighty may in this, as in every matter of public interest, never cease to guide our deliberations, and bring them to a happy issue."

LORD MONCK, in seconding the Address, said:—My Lords, no word I hope will fall from me which will interfere in any way with that unanimity with which it is desirable that we should approach the Throne on the first night of the Session. We have, I think, arrived at a point in our national progress at which, like the traveller who has climbed some lofty eminence, we may pause and take a retrospect of the course over which we have journeyed. We have just passed through a great crisis. We have admitted to the exercise of the electoral franchise large bodies of our fellow-countrymen who have hitherto been debarred from all direct influence over the Government of the country; and I think I do not exaggerate in saying that by a simple act of our ordinary legislation we have effected as great a transfer of political power as in other countries has been brought about by the fall of dynasties, the overthrow of institutions, and the effusion of blood. Nor have we only admitted these new elements into our Constitution. The late General Election has enabled us to form a very fair estimate of the effect which their introduction may be expected to have on our institutions. Now, remembering the gloomy prophecies indulged in by those who opposed the Reform Act of 1867, and the not very cheerful anticipations of those who promoted it, I regard the present aspect of affairs as by no means unsatisfactory; for the perfect calm which pervades the public mind, and the entire absence of popular demands for revolutionary or organic changes, ought to be reassuring to all, and convince us that if—to borrow the metaphor of the noble Earl opposite (the Earl of Derby)—we have taken "a leap in the dark," we have been fortunate enough, at all events, to alight on our feet. Nor need this result have been unexpected. It is impossible to review the political action of the last thirty years without being struck by the large share taken by those not then admitted to the electoral franchise in bringing about many legislative measures which are now generally admitted to have been wise and beneficial; and I think the discussion and agitation in which that portion of the community took part during that period not merely educated them in political knowledge, but prepared them for the exercise of political rights when they came to be conferred upon them.

My Lords, the first paragraph of the Speech from the Throne congratulates Parliament on the state of things I have endeavoured to describe, and the first paragraph in the Address—to which I think there will be no difficulty in agreeing—thanks Her Majesty for those congratulations.

But before touching on the positive announcements contained in other paragraphs respecting those principal topics on which the Government propose legislation during the ensuing Session, I will first refer to our foreign relations; and your Lordships must be glad to learn that Her Majesty continues to receive friendly assurances from foreign Powers; and that information has a peculiar significance at the present moment, because the representatives of all the great European Powers have lately met in Conference at Paris, and it may be presumed that confidential communications were then interchanged which enable Her Majesty to speak with greater assurance respecting the intentions of foreign States than if she were dependent only on the ordinary sources of diplomatic intelligence. I cannot refrain from adding that I regard this Conference as a new and satisfactory feature in diplomacy. It is the fashion, I know to sneer at arbitration as a mode of settling international disputes, and it has been urged that if one of the parties to such an arbitration should refuse to be bound by the award there were no means of compelling him, except by a resort to war, to avoid which was the very object of the arbitration. But those who so reason, and who would on this ground discard arbitration, show, I think, a forgetfulness of the great and increasing influence exercised by public opinion as distinguished from positive law on the ordinary concerns of life. How easy it is for a reckless or unprincipled man, if he can discard all sense of shame, to outrage society without bringing himself within the reach of any positive enactment, and yet how seldom such cases occur! Now the facilities which now exist for the collection and dissemination of intelligence throughout the Continent tend to build up an international European public opinion, the full force and influence of which can hardly be conceived, while the territorial changes in central Europe, all leading to the equalization of the forces of the great military monarchies, make it every day of greater consequence for any Power which would seek to break the peace to obtain the support of that public opinion. I cannot believe that a power so influential over each individual in private society may not to some extent influence the intercourse of nations, and I trust that the precedent set on this occasion may be improved and enlarged; so that, if it be impossible to realize the poet's dream of

> "The Parliament of man, the Federation of the world,"

some mode may at least be devised of settling international misunderstandings more in consonance with the spirit of the age than the vulgar and clumsy method of an appeal to brute force.

Your Lordships, I am sure, heartily join in the hope expressed by the Address, that the negotiations for the settlement of the questions pending between England and the great American Republic may be brought to a satisfactory conclusion, and that every obstacle which may prevent the two nations from being one in sentiment and affection, as they are already one in origin and interest, may be removed.

My Lords, turning to New Zealand, I have always observed that when our colonial possessions obtain the compliment of mention in the Royal Speech it is on account of their being in some trouble; their relations with the mother country make it natural that this should be the case. We have conceded to them —most wisely, as I believe—the right of self-government; and as long as the political machine works smoothly we hear, of course, little or nothing about them; but as soon as trouble supervenes it immediately reaches our ears. I regret that the allusion to New Zealand on this occasion is no exception to the rule, for a serious encounter has, as is well known, taken place between the European and Native populations. I sincerely join in the hope expressed in the Royal Speech that the colonists will exhibit both energy and firmness in the suppression of these risings, and forbearance and moderation in their future dealings with the Natives. I am glad to observe that no intention is announced of sending British troops to assist in the suppression of the risings, for in a colony where, as in New Zealand, the European outnumbers the Native population, I believe in the proportion of about five to one, it would appear to me to be nothing short of a slander on British manhood to suppose that they are not able unassisted to defend themselves against outbreaks of this kind. There is another and a stronger reason why we should not despatch British troops to their assistance. We are counselling the colonists to exhibit energy in preparation for attack, and forbearance in their dealings with the Natives; but as long as we leave British troops in such a colony, precisely to the extent that we leave them shall we diminish, in the minds of the colonists, the inducement to accept both branches of our advice. On the one hand, the sense of security afforded by the presence of a military force deprives the colonists of the motive for taxing themselves for the purpose of preparation; while, on the other hand, the sense of strength which the presence of the troops gives, takes from them a strong motive for the exercise of moderation and forbearance in their dealings with the Natives. I trust, therefore, that my noble Friend (Earl Granville) and his Colleagues will not allow themselves to be persuaded by any argument drawn from this outbreak, either to send out troops or to suspend the arrangements which I believe have been made for the entire withdrawal of the Imperial troops from New Zealand.

My Lords, before noticing the subjects on which the Government propose legislation this Session, I wish to refer to a negative announcement which all must have heard with gratification—the announcement that Her Majesty's Government do not anticipate the necessity of renewing the suspension of the Habeas Corpus Act in Ireland. I am not one of those who would refuse to any Government any extraordinary powers for which they might ask for the purpose of enabling them to perform that which is the first duty of all Governments — the maintenance of law and order; nor, considering the peculiar circumstances of Ireland, would I press on any Government the premature abandonment of such powers. Upon the Members of the Administration must rest the responsibility of retaining or abandoning them, for they alone possess the information which can guide them to a right conclusion; but if, on full consideration, they are of opinion that those powers may now be relinquished, it will certainly give your Lordships sincere pleasure to see Ireland restored to her normal constitutional position.

Passing to another topic, I will remind your Lordships that, notwithstanding the generally satisfactory nature of the recent elections, it is notorious, both from personal observation and from the revelations before the tribunals newly instituted for the trial of Election Petitions, that in certain localities a considerable amount of undue influence, both personal and pecuniary, has been exercised, and it being important, if a legislative remedy is to be applied to the evil, that the facts should be accurately ascertained, no time, I conceive, can be more suitable for conducting such an inquiry than the assembling of a new Parliament, when all the circumstances of the late election are fresh in the recollection of the public.

I now come, my Lords, to the last two paragraphs of the Address, those relating to the Irish Church. I think that, considering what took place during the last Session of the last Parliament; considering the verdict returned by the constituencies to whom the question was directly put; the course taken by the late Government in consequence of that verdict; and, looking to the circumstances under which the present Administration acceded to Office, your Lordships would have been greatly surprised if this important subject had not occupied a prominent place in the Royal Speech. Assuming, then, that an allusion to the subject should have been made, it has been conceived, as it appears to me, in a spirit of moderation and forbearance, and is so framed that any noble Lord may concur in the Address without in any way compromising himself with regard to the principles of the question. What will be the nature or details of the measure which will be proposed by the Government I need hardly say I have no authority to state; but as an Irishman and a Churchman, interested on the one hand in the effect which the measure will produce on the minds of my fellow-countrymen — deeply interested on the other hand in its bearing on my Church—I deem it my duty to lay down three principles which I conceive to be indispensable if the measure is to be a final and effectual one. The first is that the disconnection of the Church from the State should be complete and immediate; the second is that the scheme of disendowment must be so framed as to leave no ground of distinction between persons professing different religious creeds; and the third is that the Anglican Church, disconnected from the State, must be left entirely free to adopt her own organization and form of government. My chief fear, I confess, is that the opponents of the measure, though unable to defeat it in its main objects, may be sufficiently powerful to retain some paltry shred or shadow of establishment or endowment which will be of no substantial advantage to the Church, will diminish the beneficial effect of the measure on the minds of the population, and will perpetuate that spirit of hostility towards the Church which, I am sorry to say, now animates a large portion of the Irish people. I have for many years been of opinion that the change now proposed is demanded by justice and dictated by sound policy. Even if it were otherwise—even if it should seem injurious to the Church—it would make no alteration in my views—I would wish justice to be done, at whatever cost; but I am firmly convinced that the true interests of the Irish Church concur with the demands of justice and policy. Nothing, I believe, has had so potent an effect in preventing the extension of the Anglican Church in Ireland as its connection with the State. By the position of ascendancy in which we have placed her, we have enlisted against her every generous impulse which animates the human breast, and have rendered it difficult, if not impossible, for a man of such impulses to leave the communion of the Church of Rome for that of the Church of England. To take such a step we require him to leave the side of the weak and range himself on the side of the strong—to leave what appears to the Irish people the side of the oppressed, and to take the side of the oppressor. I do not, however, desire to fight under false colours, and I admit that, independently of the special circumstances of the Irish Church, I am on principle and as a Churchman opposed to all connection between Church and State. I believe that wherever that connection exists the same blighting and benumbing influence will be found to affect the Church, like — to draw an illustration from commerce—the effect exercised by Protection upon those branches of trade to which it was applied. Holding these views, I need not tell your Lordships that I do not share in the gloomy forebodings of those who think that the measure will be a death-blow to the Irish Church—that she cannot survive her severance from the secular power—the experience I have had in Canada of the beneficial effect on the Church of throwing her upon her own resources precludes me from entertaining such apprehensions. I cannot bring myself to think so meanly of my fellow-religionists as to suppose they will not be prepared to make the sacrifices necessary for the maintenance of their Church; and, I say it with all reverence, I have too firm a faith in the vitality of my own religion, and in the source whence its vitality is derived, to doubt for a moment that the necessary funds will be forthcoming. I may be mistaken, but I look forward to a noble future for the Irish Church when, invigorated by the sense of self-reliance and the consciousness of self-sustenance, released from the unhappy and false position with regard to the great mass of the population in which establishment has placed her, and relieved from the opprobium of injustice, she shall be enabled to lay her pure doctrine, her pious practice, and her noble ritual before the dispassionate observation of an unprejudiced people. My Lords, I beg to second the Address which has been just moved by the noble Earl.

THE LORD CHANCELLOR having read the Address, [See *Page* 32.]

LORD CAIRNS: My Lords, it is satisfactory that, while dealing with subjects upon many of which considerable difference of opinion must be entertained, the language in which your Lordships are asked to address the Crown is framed in a manner which is unlikely to provoke dissent, much less division. My Lords, some of the communications in the most gracious Speech of the Sovereign your Lordships cannot fail to receive with feelings of pleasure. My Lords, it is a matter of congratulation that the outbreak between Turkey and Greece, which a short time ago appeared to be so imminent, is now unlikely to occur. It is a matter for congratulation that the firmness and the moderation displayed by Turkey have been rewarded by the acceptance on the part of Greece of the main points of the *ultimatum* originally proposed by Turkey, when its conditions were offered to Greece through the Conference which has lately sat at Paris. Notwithstanding, however, what has fallen from the noble Lord who seconded the Address, I venture to say that it may perhaps be doubted what was the specific object which was proposed by that Conference, and I think it may also be doubted whether, if Her Majesty's Government and the other great Powers felt themselves prepared to recommend to Greece the acceptance of those propositions, that end might not have been obtained with equal effect without the somewhat hazardous expedient of calling a Conference together. However this may be, it would be premature at the present moment to express any definite opinion upon the subject, because, although we do not find that there is any promise in Her Majesty's most gracious Speech that the Papers relating to this subject will be laid before us, I have no doubt that Her Majesty's Government will be prepared to lay upon the table as soon as possible the Papers relating to the proceedings of the Conference. Your Lordships, I have no doubt, have also heard with satisfaction that there is a prospect that the negotiations entered into for the purpose of terminating the matters which have been in difference between this country and the United States are likely to be brought to a satisfactory conclusion. We are not informed what is the precise state at this moment of those negotiations, or of the form which the settlement is likely to assume; and therefore I can only express a hope —in which I am sure your Lordships will heartily join—that when that settlement is completed—if it be completed—and when it is laid before Parliament, we shall find in it materials which may lead us to entertain a sanguine hope that the good feeling and friendship between this country and the United States will in future be increased and perpetuated. My Lords, I gather from the most gracious Speech of Her Majesty that it is not the intention of Her Majesty's Government to propose to your Lordships any measure for the continuance of the suspension of the Habeas Corpus Act in Ireland. My Lords, I agree with what was said just now by the noble Lord opposite (the Earl of Carysfort), that Parliament must always feel pain when asked to suspend in any part of the kingdom the Habeas Corpus Act, and so take away one of the great safeguards of the liberties of the subject. At the same time, it appears to me that the course which has always been taken by Parliament upon this subject is a wise one—namely, to trust very much in a matter of this kind to the responsibility of the Executive Government of the country. It is to the Executive Government of the country that we must trust in a great measure for advice when we are asked to suspend, when we are asked to continue, or when we are asked to take off the suspension of the Habeas Corpus. I have no doubt that if Her Majesty's Government have come to the determination that it is no longer necessary to ask Parliament to renew the suspension of the Habeas Corpus, we shall be informed at the proper time by Her Majesty's Government of the improved state of the country which has led them to adopt that resolution. My Lords, there is still another subject in the most gracious Speech upon which no difference of opinion can be entertained. We are told—or rather the House of Commons is told—that the Estimates for the coming year have been framed with a careful regard to the efficiency of the services. Now, if the Estimates have been framed, as has been intimated, with a careful regard to the efficiency of the services, I venture to say there is no person in either House of Parliament who will not concur in expressing satisfaction at any diminution in the charges upon the country which may be effected. The only question which it appears to me can arise at the proper time will be, not whether the true criterion has been adopted—because upon that point there can be no doubt that the true criterion is a proper regard to the efficiency of the services—but whether that criterion has been properly applied in any reductions that have been proposed. I come now to a passage in the Speech which I own has occasioned me some doubt with regard to its meaning. We are told that Her Majesty has been advised to address Parliament by recommending Parliament

> "To inquire into the present modes of conducting Parliamentary and Municipal Elections, and to consider whether it may be possible to provide any further guarantees for their tranquillity, purity, and freedom."

I do not understand this paragraph as intimating—nor do I think that any such interpretation has been put upon it by either of the noble Lords the Mover and Seconder of the Address—that any measure is about to be proposed on this subject on the part of Her Majesty's Government. Upon the idea intended to be conveyed by this paragraph I apprehend there can be no dispute. Every person must wish that the elections of this country, whether Parliamentary or municipal, should be provided with every guarantee for their tranquillity, purity, and freedom. What I understand this passage to point to is not legislation to be proposed by the Government, but inquiry. We are quite accustomed to being informed in the Speech from the Throne that the Sovereign has been advised to issue a Royal Commission on any subject requiring investigation; but I do not understand this passage as pointing to a Royal Commission; because I apprehend that if that had been the case we should have been informed that such a Commission had been issued, and should not have been told that Parliament should institute an inquiry into the subject. I therefore regard the passage as pointing to a Committee of Parliament—that is to say, a Committee of one or both Houses of Parliament. I only venture to observe upon this in passing for the purpose of expressing some doubt as to —I will not say the analogy, but the precedent upon which the Speech has been in this respect founded. As far as I am aware, there has been no instance in which the Crown has been made to suggest to Parliament the appointment of a Committee of one or the other of the Houses of Parliament for the purpose of making any inquiry. The course is for the Government to advise the Crown. It is armed with power to institute any inquiry which it thinks desirable; the Government is also in the habit of proposing to Parliament any legislation it may think desirable. But I am not aware of any precedent for the Government advising the Crown to recommend Parliament to institute an inquiry through the instrumentality of a Parliamentary Committee. My Lords, in the contents of the most gracious Speech, with regard to domestic legislation, with one very important exception to which I shall in a moment refer, there is not much that calls for remark from me. We are informed, in the first place, that

> "A measure will be brought forward for the relief of some classes of occupiers from hardships in respect of Rating, which appear to be capable of remedy."

We shall hear, no doubt, in due time, what these hardships are supposed to be, and what is the remedy which it is intended to apply to them. We are then informed that there is to be

> "A measure for applying the principle of representation to the control of the County Rate;" and "A measure for the extension and improvement of Education in Scotland, and for rendering the considerable revenues of the Endowed Schools of England more widely effectual for the purposes of instruction."

But I see no intimation in the Speech—and I own the omission has occasioned me some surprise—that any measure is to be introduced with regard to primary education in England. We are told, finally, that we are to have again an old familiar friend — a measure with regard to Bankruptcy, which has become an annual acquaintance of your Lordships during many Sessions of Parliament. Passing from these measures, I come now to what has been reserved in the Speech till the last, and which no doubt is the most important part of the gracious Speech. It is called by the very sonorous and I think novel term of a "final adjustment of the ecclesiastical arrangements" of Ireland. I do not dwell on that descriptive term, neither do I dwell—although it is somewhat tempting—on the strange accumulation of phrases, and what appears to be the almost fortuitous collocation of adjectives and substantives which is to be found in the penultimate sentence of the most gracious Speech. I quite agree with the noble Lord who seconded the Address, that, having regard to the circumstances under which the present Administration accepted Office, which are fresh in your Lordships' recollection, there was not any course open to them but that which they have taken—namely, to introduce into the most gracious Speech a mention of legislation with regard to the Church in Ireland, and a statement that they were prepared to lay before Parliament their policy with regard to that question. I think we need not be surprised that that which was the natural course has been adopted by Her Majesty's Government, and I think your Lordships will agree with me that nothing could be more inconvenient than that, before we have the measure laid on the table of the House, before we have any intimation from the Government itself as to what the character of the measure will be, I should be tempted to follow the noble Lord who seconded the Address, and enter upon a discussion of what the measure may turn out to be which Her Majesty's Government will ultimately propose to Parliament. I should be still further unwilling to attribute to Her Majesty's Government some, at least, of the views of the noble Lord who proposed and of the noble Lord who seconded the Address, until we have reason to know that these are the views which they actually entertain. Indeed, if I am not mistaken, the noble Lord who seconded the Address went so far as to say—whether speaking from inspiration by the Government or not, of course, I cannot tell—that in his opinion the connection in any phase and in any country of Church and State was an undesirable thing for the Church, that it had a benumbing effect, and that the question was not in any way an Irish question, but one applicable to all places. [Viscount MONCK intimated assent.] I thought I understood what was said by the noble Lord, and I am glad to find that I have rightly represented him. I may express my great satisfaction at some things which are contained in the Speech, and I am glad to concur with the noble Lord who seconded the Motion, that the language in which the Address in answer to the Speech from the Throne is framed is such that it cannot be taken as an expression of opinion at either side of the House as to what the measure on the subject of the ecclesiastical settlement in Ireland ought to be. I am also glad to find that the measure which the Government are prepared to propose is to be submitted to Parliament at a very early period; for I can conceive nothing more desirable than that upon a subject of this transcendental importance the most ample time should be given to both Houses of Parliament for careful, dispassionate, and close examination of any course of policy which may be proposed, and of the reasons on which that course of policy may be founded. I am also glad to find, if I read the Speech correctly, that the policy of the Government is to be submitted to your Lordships' consideration in a complete and final form, and is not to be submitted, as I have seen some suggestions that it might be, by instalments, or in a fragmentary manner. We shall hear, no doubt, from the noble Earl the Secretary of State for the Colonies (Earl Granville), at a convenient time, what will be the business to which the Government will ask your Lordships to address your attention in the first instance. And I will venture, if the noble Earl will allow me, to suggest to him the great importance both to your Lordships' convenience, and to the efficient discharge of your Lordships' business, that this House should not be, if possible, reduced to a state of compulsory inactivity up to the month of July or August, and afterwards have thrown upon it in the short remainder of the Session such an amount of business as it is utterly impossible to transact. The noble Earl cannot suppose I am making any complaint of a Government which has not yet had an opportunity of deciding what course they will take on any subject. I am only taking the liberty of offering the suggestion to him for what he may think it worth, that although there are some measures which can only be fitly proposed in the other House, there are measures which can be dealt with quite as fitly in this House as in the House of Commons. I would remind your Lordships what happened with regard to what I have called an old familiar friend — the Bankruptcy Bill. A Bill of great magnitude was proposed last year which, after all, was only the fruit and consequence of former Bills on the same subject, with the improvements which time had shown to be required. That Bill, after being fully considered by the public in all its main provisions, and being approved of by the whole mercantile community, received the approbation of your Lordships' House; but we were obliged to abandon its prosecution owing to the pressure of business before Parliament. A very small fragment of that Bill was brought forward as a separate measure in "another place," and ultimately became law; and I am glad to find from statements which have been made that even that fragment of a larger measure has already been productive of most beneficial effects. If it should be the determination of Her Majesty's Government to introduce into this House either their measure of bankruptcy reform, or any other of the measures which they have to offer to Parliament, on behalf of those who sit upon this side of the House I think I may venture to offer to the noble Earl—while reserving to ourselves the right of most candid criticism with regard to those measures—a frank and willing co-operation in promoting and expediting the public business.

EARL GRANVILLE: I am sure your Lordships cannot fail to be aware that the position of a Member of the Government who rises to speak on this occasion is one of difficulty. The remarkable speeches which were made by the two noble Lords, the Mover and Seconder of the Address in answer to the Speech from the Throne, exhausted the most important topics of that Speech, and I am bound to say that the speech which has just been made by the noble and learned Lord (Lord Cairns) leaves hardly any subject on which it is necessary for me to touch. But before making the very few observations which I shall feel called upon to offer in answer to what has fallen from the noble and learned Lord, your Lordships will excuse me for saying that which may appear somewhat egotistical. After having been for some years in this House in a certain degree the organ of the Government, I find myself again in the same position. I felt during the former time that the only means by which I was able to discharge the functions of that office were by the cordial and consistent support of my Friends, and, I must also add, by the forbearance of some of those who sit on the opposite side of this House. With regard to my Friends, I feel that their support is more necessary to me than ever. I succeed a man who has created for himself a great name in history, and I also feel the disadvantage of having exactly opposite to me one known for the highest possible skill derivable from professional training. I have no right to claim for the future any forbearance from those who are opposed to me; but I have derived some hope from the speech just delivered that the daily judicial habit enables the noble and learned Lord opposite to do — what he has certainly done this evening — to temper the keenness of the political party advocate of the evening. With regard to the observations of the noble and learned Lord, the greater part of them, both in substance and in tone, was in approval of Her Majesty's Speech. The noble and learned Lord expressed the satisfaction which I am sure is felt by all at the friendly relations which Her Majesty's Government entertains with all the foreign Powers. I could not express in more fitting terms the wish that is felt in this country that the negotiations with the United States may tend to strengthen those relations of friendship and amity which ought to exist between the two nations. The noble and learned Lord, alluding to the controversy which has happily terminated in settling the disputes between Turkey and Greece, paid just compliments to the conduct of Turkey in this matter. He also expressed a wish and a just expectation that Papers on this subject would be laid before your Lordships as early as possible. I think I am not wrong in stating that up to this date the Papers are prepared for presentation; but there are reasons which your Lordships will easily understand why, during the last week which is to terminate this affair, it is better not to do anything calculated to re-open discussion. I believe that when these Papers are produced, your Lordships will see that Her Majesty's Government partook of the impression to which the noble and learned Lord gave utterance, and were of opinion that the three Powers might have settled the matter without difficulty, and that when yielding to the wishes of their allies to refer the matter to a general Conference, it was owing to the exertions of my noble Friend in settling with the other Powers of Europe to the precise bases upon which the Conference should meet that the happy result is in some measure to be attributed. The noble and learned Lord expressed his satisfaction with the single paragraph addressed to the Gentlemen of the House of Commons with regard to expenditure—accompanying his remarks, however, with the proviso, in which we all must concur, that economy should be combined with efficiency. We have given a pledge to the country that we mean to carry out greater economy with greater efficiency, and we mean to redeem that pledge, but with moderation and prudence; and when the Estimates come to be explained in the other House of Parliament, they will be found not entirely wanting in that combination of efficiency with economy which we all desire. The noble and learned Lord has interpreted quite correctly the intentions of the Government with regard to those evils connected with the elections which, by public notoriety and by judicial reports, are proved to have existed at the last election. His first criticism was, I thought, rather a small one—that there was no precedent for a recommendation from Her Majesty's Government to the Houses of Parliament to inquire into such a matter; but he rightly gathers that it is our intention to propose such a Committee as he has sketched forth; and the recommendation of Her Majesty's Government of an inquiry appears to me, with or without precedent, to be perfectly unobjectionable. The noble and learned Lord regretted, and I deeply regret, and I think the country will deeply regret, that primary education is not one of the subjects which Her Majesty's Government feel themselves enabled to announce to Parliament this Session. If a Bill on that subject were introduced of a very simple character, like that the late Government brought in last year, it might be possible; but if it were wished that the Government should deal with this large and important question as it deserves, I believe that every one would feel it to be a mockery of Parliament to introduce such a measure as would be consistent with the importance of the subject concurrently with that other great measure which must be submitted to the other House of Parliament. Education is a most important subject with regard to Scotland; and, perhaps, with regard to this country, it may be said that middle-class education has been neglected more than the higher or than primary education. The subject of primary education is one that is dear to the country, and Her Majesty's Government are consequently most anxious to deal with the subject as soon as it can be legislated upon with efficiency and success; but the country will feel that, under the peculiar circumstances of the present Session, Her Majesty's Government are justified in not introducing such a Bill this year. The noble and learned Lord adverted to what he called "our old familiar friend," the Bankruptcy Bill, upon which I may remind him both he and the noble and learned

Lord by his side (Lord Chelmsford) have tried their hands. I trust that the hope expressed by the noble and learned Lord on this subject will be fulfilled, and that my noble and learned Friend on the Woolsack, taking advantage of what has already been attempted, will succeed in producing a measure on the subject that will commend itself to the attention of your Lordships and ultimately prove successful. Rather to my surprise, the noble and learned Lord seemed to be ignorant that any occupier had suffered any hardship in respect of the amended law on rating. I should have thought that no one, either learned or unlearned, could be ignorant of the complaints made all over the country of the hardships inflicted upon the poorer class of occupiers by certain portions of the late Reform Bill. No one will say that it is not a hardship upon the poor man to be called upon to pay his rates for the whole year, and then to be turned out, perhaps next morning, by a profligate landlord, who may let the house to others at a higher rent in consequence of the rates being thus paid for the whole year. This seems to me an obvious hardship which all should be anxious to remove. While I will not attempt to anticipate the provisions of the Bill which will be introduced on this subject, it will be satisfactory, I trust, to the noble and learned Lord to know that we propose to interfere as little as possible with the enactments of the Reform Bill of last year. I now come to that which the noble and learned Lord has truly described as the most important paragraph of the Queen's Speech. My noble Friends the Mover and Seconder of the Address, who are both connected with Ireland, referred with great force of conviction and eloquence to that subject. Remembering for how many hours the noble and learned Lord and myself trespassed upon your Lordships' patience on the abstract merits of the question during last Session, I think your Lordships will do well to take his advice, in waiting until the measure to be proposed is made known to the Houses of Parliament. He alluded to the early date at which it was proposed to bring this subject forward, and I may state that Notice has just been given in the other House of the introduction of a measure on the 1st of March. The noble and learned Lord also alluded to the circumstances under which the present Government came into power. I own I rather expected that he would have taken the opportunity of first explaining the circumstances under which the late Government retired from Office. I do not, however, complain of the omission, and will only express my conviction that the course pursued by the late Government, while it was extremely wise in a party view, was also useful for the national interests; because, although it gave the present Government little time to prepare their measures, yet it would have been otherwise impossible to have brought forward a Bill on the subject during the present Session if the delay of waiting for the meeting of Parliament had occurred. The noble and learned Lord referred to a subject of complaint which I have myself made when sitting on that side of the House, and which I have had to answer on this side of the House—that complaint so fairly made on the part of those in Opposition, and so feebly defended by those in power—that there should be so very little work in this House in the early part of the Session and such a great pressure of work in the latest month or two of the Session. It is a complaint which Lord Aberdeen fifteen years ago stated he remembered having heard for fifty years. It is obvious that there is some reason for this state of things, and that it arises from the fact that the peculiar province of your Lordships' House is not so much the initiative as the revision of measures. I can only say that I will endeavour to supply your Lordships with as much of the material of legislation as I can as early as possible. I have only to say, before I sit down, that I congratulate ourselves and the House upon that feeling of moderation which exists, and which has enabled me to make my first Ministerial speech a matter of very small importance.

Address *agreed to, Nemine Dissentiente.*

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nemine Dissentiente,* to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES — Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

BIBL. LONDIN. UNIV

APPEAL COMMITTEE—Appointed.

RECEIVERS AND TRYERS OF PETITIONS—Appointed.

ECCLESIASTICAL COURTS BILL [H.L.]

A Bill for better enforcing the laws ecclesiastical respecting the discipline of the clergy, amending the constitution and regulating the mode of procedure of the Ecclesiastical Courts, and regulating the government of the Ecclesiastical Registries in England—Was *presented* by The Earl of SHAFTESBURY; read 1ª. (No. 2.)

House adjourned at Seven o'clock, to Thursday next, a Quarter before Five o'clock.

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HOUSE OF COMMONS,

Tuesday, 16*th February*, 1869.

The House met at a quarter before Two of the clock.

Message to attend the Lords Commissioners;—

The House went;—and having returned;—

MR. SPEAKER acquainted the House,—that he had issued a Warrant for a *New Writ* for Renfrew, *v.* Archibald Alexander Speirs, esq., deceased.

Several other Members took and subscribed the Oath.

NEW MEMBERS SWORN.

Sir John Duke Coleridge, *for* Exeter; William Patrick Adam, esq., *for* Clackmannan and Kinross; George Otto Trevelyan, esq., *for* Hawick District of Burghs; Right hon. Lord Otho Augustus FitzGerald, *for* Kildare; Viscount Castlerosse, *for* Kerry; Sir Robert Porrett Collier, *for* Plymouth; Right hon. Henry Austin Bruce, *for* Renfrew; George Young, esq., *for* Wigtown District of Burghs; Right hon. Chichester Samuel Parkinson Fortescue, *for* Louth; Right hon. Edward Sullivan, *for* Mallow; Right hon. Sir Colman Michael O'Loghlen, baronet, *for* Clare; Captain Algernon William Fulke Greville, *for* Westmeath; Henry Wilmot, esq., *for* Derby County (Southern Division).

CONTROVERTED ELECTIONS.

MR. SPEAKER informed the House, that he had received from the Judges selected for the trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Certificates and Reports relating to the Elections for the Borough of New Windsor; for the Borough of Wexford; for the Borough of Guildford; for the Borough of Bewdley; for the County of Dumfries; for the Borough and County of the Town of Drogheda; for the Borough and County of the City of Limerick; for the Borough of Athlone; for the City of Lichfield; for the Borough of Carlow; for the City of Norwich; for the Borough of Belfast; for the Borough of Enniskillen; for the County of Sligo; for the Borough of Wallingford; for the Borough of Westbury; for the Borough of Stockport; for the Borough of Stalybridge; for the Borough of Warrington; for the Borough of Cheltenham; for the Borough of Bradford (two); for the City of Dublin; for the City or Borough of Londonderry; for the Borough of Carrickfergus; for the Borough of Greenock;—and the same were severally read.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

THE QUEEN'S SPEECH.

MR. SPEAKER *reported*, That the House had been at the House of Peers at the desire of the Lords Commissioners appointed under the Great Seal for opening and holding this present Parliament; and that the Lord High Chancellor, being one of the said Commissioners, made a Speech to both Houses of Parliament, of which MR. SPEAKER said he had, for greater accuracy, obtained a copy; which he read to the House.

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

MR. H. COWPER said, he must ask for the kindness and indulgence of the House while he made a few remarks, necessary to preface the Motion with which he had the high honour to be entrusted. He could assure the House that he should at all times have felt the responsibility and the difficulty of the position which he now held, but he could not help thinking that that responsibility and that difficulty were somewhat increased by the peculiar character of the Parliament which met that day virtually for the first time. He was not going to give the House a history of the last two years, of which they probably knew more than he did; but he could not forget that, among the various opinions given by anticipation of that new Parliament by the most eminent men of both parties and by the country, on this point at least they all seemed to agree—that the assembling of that Parliament would be a turning-point and the inauguration of a new epoch in the history of the country. Probably no great popular assembly ever met, upon which, not only from the time at which it was first called, but long before, so many hopes and so many fears had been lavished: the fears would, he thought, now be acknowledged to have been somewhat superfluous; while, on the other hand, all must trust that the best hopes which it had awakened might in some measure be realized, whatever might be the duration of its existence; and he was sure that hon. Members on both sides would cordially echo the sentiment expressed in Her Majesty's Speech, that "the House had been chosen with the advantage of a greater enfranchisement of her faithful and loyal people." They were informed by Her Majesty that her relations with all foreign Powers continued to be most friendly, and that she had the satisfaction to believe that they cordially shared in the desire by which she was animated for the maintenance of peace. Of late the Great Powers had certainly shown the most manifest desire for peace, by the way in which they had sought to remove the difference between Greece and Turkey before it had attained any formidable dimensions. With that subject, he supposed—the popular opinion being what it was—they wished to have as little as possible to do. They felt that their interests in that part of the world—although upon certain occurrences they might become very great—were yet at present less than with almost any other part of the earth. Again, it was difficult for them to follow out all the differences of race and religion which formed the subject-matter of that great question, and they would have been glad, if possible, that [the parties directly concerned should have been allowed to settle it for themselves. But in a great country like ours, with a great history, they must of course always reflect on what had gone before, and be prepared, with whatever cheerfulness they could, to meet the responsibilities incurred by those who had preceded them. England had a great deal to do with the formation of Greece into an independent kingdom; since then we had added to her power for good or evil by relinquishing our protectorate of the Ionian Islands, and giving them up to her; and therefore it would have been impossible for us, if the affairs of Greece became an European question, to have remained altogether silent. Nor could we regret what we had had to do if it had stood between Greece and the vengeance which might have fallen upon her, or had recalled her to some recollection of her international obligations. Her Majesty had informed them that, in conjunction with her allies, she had endeavoured, by friendly interposition, to effect a settlement of the differences which had arisen between Turkey and Greece, and she rejoiced that their joint efforts had aided in preventing any serious interruption of tranquillity in the Levant. Still speaking of foreign affairs, Her Majesty informed them that she had been

> "Engaged in negotiations with the United States of America for the settlement of questions which affect the interests and the international relations of the two countries."

The fact—which he believed was no mystery—for there had certainly been less mystery about these negotiations than about anything of the sort that he knew of—that the Convention had been begun in the time of the last Government, and therefore had the advantage of the consideration not only of the noble Lord the late Minister for Foreign Affairs (Lord Stanley), but of all the prominent members both of that Cabinet and of the present one, would form an additional guarantee, if such were necessary, that while we had gone to the very fullest extent we possibly could to obtain a friendly settlement of those questions, yet no consideration had been spared to maintain the interests, and of course the honour of England. They did not yet know how the Convention would be received in America, and the most contradictory rumours reached them daily as to its probable reception by the Senate; but it would, he thought, be well for Englishmen to recollect that it was much easier for them to approach that question in a spirit of moderation and candour than for the Americans. If the matter was decided against us, we should pay the costs without much reluctance; we should be glad that a tiresome and vexatious business had been brought to a close; and perhaps the strongest regret we should feel would be that the nation should have to pay, and not those gentlemen who had attempted to make their fortune at the expense of their country, and also at the risk of her repute for good faith. But with America the case was very different. The Americans, if there had been any injury at all, were the injured party, and if they were injured at all, they had been greatly injured. It was not, of course, for him to give an opinion as to whether those cruizers had escaped by any negligence on our part—that point would have to be determined by those to whom the question was referred; but at the same time he might say that, if certain reports of private conversations that they had seen were correct, there was not much doubt entertained upon the subject in the minds of those who ought to be best informed. If an injury was committed upon America, it was a very serious one, because it amounted to her whole commerce being swept from the seas, and her carrying trade driven into our ships. They could not, therefore, be surprised if the irritation, which had naturally been raised at the time in America, had not yet been quite allayed, even though several years had since elapsed. It was also to be remembered that those who were most anxious to settle the question had difficulties to contend with which it was not easy to appreciate, and hence those gusts of popular sentiment in America which reached us at intervals, disconcerting all plans that were proposed for settlement and leaving things very much as they were. But Her Majesty expressed her

> "Earnest hope that the result of these negotiations might be to place on a firm and durable basis the friendship which should ever exist between England and America,"

and such a result, he was sure, would rejoice not only every man in that House, but every friend of the happiness and progress of mankind. Her Majesty next referred to the disturbances in New Zealand, but he did not see in the paragraph any intention expressed on the part of the Government either to send out troops, or in any way to take a backward step from the decision come to, that the defence of the colonies should be left to the colonists themselves. In this, he thought, so far as he was able to express any opinion upon the subject, Her Majesty's Government were quite right. The disturbances were of an exceptional character. As long as the troops were kept in the colony, the colonists did as everybody else would have done in the like case—they trusted to those troops; and after they had been withdrawn the colonists did not at first organize and drill a force capable of resisting the last outbreak of the Maories. But he did not think it would be a difficult thing for them ultimately to do so. Probably the Maories were as fine fighting men as any British settlers had had to meet; but the Europeans in New Zealand far outnumbered them, and ought not to find any difficulty in organizing among themselves the means of averting the recurrence of any further outbreaks of that kind. Carefully guarding himself from either implying or seeming to imply that any provocation had been given to the Natives on that unfortunate occasion, yet this general principle might be laid down, that the temptation to quarrel with, or oppress, or deceive the Natives, would be much diminished if those who otherwise might succumb to those temptations had the consciousness that they would be the first called upon to bear the responsibility of any untoward eventualities. It must be extremely satisfactory to the House to learn, on the authority of Her Majesty's Government, that it would probably not be necessary to renew the suspension of the Habeas Corpus Act in Ireland. They had been more or less prepared for that announcement by the fact that, during the last few months, they had heard of much fewer disturbances in Ireland than had occurred previously; whilst the dark cloud, which had now passed away, hung over Ireland, it was necessary to suspend the most obvious right of free citizens. As long as this dark cloud had hung over Ireland, all plans and schemes to improve the permanent condition of the country seemed mere dreams; but it may be trusted now that, cheered by this ray of hope, the friends of Ireland would be encouraged to renewed exertions on her behalf. The House would also gather from Her Majesty's Speech that it was the intention of the Government to open an inquiry into the present mode of conducting Parliamentary and municipal elections, with a view to discover "whether it may be possible to provide further guarantees for their tranquillity, purity, and freedom." It must be confessed that the present arrangements in respect to that matter were made for a very different state of things from that which now existed under an enlarged suffrage, and had, therefore, in many cases, become either useless or ineffectual. Probably one of the first points which might have to be considered in connection with this, would be the suggestion made, he believed by the right hon. Member for Birmingham (Mr. Bright) in one of his husting speeches—namely, whether it would not be a good thing if the ceremony of the nomination day were done away with. Certainly it would be necessary to go far back in our history to find a time when the ceremony of the nomination day answered the purpose for which it was ostensibly intended —that was, to give the constituency an opportunity of becoming acquainted with the opinions of the candidates. He had no doubt that a certain number of the voters would feel a great unwillingness to forego the intense intellectual gratification of hooting the candidates to whom they were opposed; but he believed the greater number of the wiser and more orderly class of electors would be ready to surrender that doubtful privilege for the sake of the gain to the public peace which would ensue from the sacrifice, in the more quiet and easy way of conducting the business of elections. He might add, that the question of the Ballot, and the reception which it would meet with in that House, if any Motion were made on the subject—and he believed a Notice of such a Motion had been given that night—would depend upon the results of the inquiry to which he referred. There were, he understood, many hon. Gentlemen in that House who were opposed to the Ballot, or, at least, not friendly to it, who would yet feel obliged to accept it if it were proved to them that there was no other way of stopping intimidation and violence at elections. If a change in that state of things could be brought about by the kindly growth of public opinion on the subject, so that it would become impossible for landlords to coerce tenants, for manufacturers to coerce labourers, and for customers to coerce or attempt to coerce the tradesmen with whom they dealt, it would no doubt be well to wait for such a development of public opinion, even if it should be necessary to wait for some years, rather than resort to a mere mechanical process for stopping corruption and intimidation. If, however, the inquiry proved, as it possibly might, that intimidation and force at elections, instead of being on the decrease, was rather on the increase, and if, instead of public opinion demanding that every man should vote according to his real and conscientious convictions, independently of all other considerations, it should be ascertained that the opinion was beginning to prevail more widely than before that everybody who had social relations with a voter, either as a master or spiritual adviser, or as a customer, ought to exercise his power —in such a case he thought they would be obliged with some reluctance to accept the Ballot. He was sure the House would be pleased to hear that municipal elections were also to be included in the proposed inquiry. Unhappily, it had become too notorious that bribery had prevailed at municipal elections, not only to a greater extent than at Parliamentary elections, but probably also to a greater extent than at any previous period. It was high time for the Legislature to take up the question and see if something might not be done to put a stop to so grave an abuse. It would not be necessary for him to take up the time of the House by discussing many of those particular Bills of which notice had been given. He might be permitted, however, as a county Member, to express his great gratification that the question of Financial Boards was about to be taken up by the Government, and that the principle of representation would be applied to the control of the county rate. In the course of his inquiries on this subject he had never heard any really well-authenticated accusation brought against the committees appointed by the magistrates at Quarter Sessions of in any way misappropriating or misapplying the monies over which they had control. It had, indeed, always seemed to him a circumstance very much to the credit of the class from which magistrates were generally taken that gentlemen could be found who, for no pecuniary or social advantage—without the hope of additional prestige—should be willing to take upon themselves the laborious duties to which he referred. But our principle had always been that representation and taxation should go together, and if the ratepayers in all parts of the kingdom expressed, as he believed they had done, a desire to have a share in the control of the rates which they themselves provided he did not see how, in common justice, such a claim could be refused. The last part of Her Majesty's Speech was taken up with a reference to Ireland and the Irish Church. Now, he confessed he had the greatest diffidence and reluctance in approaching this subject. He knew how well-worn the common stock arguments on the subject were, and he supposed that almost every hon. Gentleman in the House had himself made four or five speeches on the subject, and had probably heard as many or more made by others. They would scarcely thank him, therefore, for dragging them along so well-worn a road and reiterating stale arguments; and he confessed that when one left these main arguments the difficulties which presented themselves were so grave that he, for one, should be content to leave them in the hands of the right hon. Gentleman at the head of Her Majesty's Government. (*Cheers from the Opposition.*) Hon. Gentlemen opposite must not think that those who sat on his side did not know what difficulties faced them, though with them the wish was not father to the thought that the difficulties would prove insuperable. The case stood thus: — The Liberal party, under the guidance of the right hon. Gentleman, and mainly in consequence of his teaching, had come to the conclusion that the Irish Church was one of the main obstacles to the contentment and peace of Ireland. Whether it were looked upon as a practical grievance, or if it was admitted that by custom, or even by direct enactment of the law, some of the more obvious injustices involved in forcing the Church of a small minority on the nation had been mitigated, and it assumed the form of a sentimental grievance, that grievance, whether sentimental or practical, should be done away with. Some hon. Gentlemen perceived a great distinction between practical and sentimental grievances. For himself, he was hardly able to follow them entirely on this point, for it seemed to him that half the wars in the world had arisen from sentimental grievances, which had also given rise to far more than that proportion of private quarrels. Among any high-spirited body of men a slight or insult which would be regarded as sentimental was as much brooded over and as keenly resented as a blow, which he supposed would be considered a practical grievance. To go to a high-spirited, brave, generous, and, perhaps, more sensitive people than ourselves, and to say to them, "You must put up with what you complain of, because it does not affect your persons or your purses, but only your sense of personal equality and dignity," seemed to be the wildest piece of consolation ever offered. Of course, there were difficulties lying in the way—such as that of knowing what to do with the money. If State control were withdrawn, it must be decided what control was to be established over the Bishops and clergy who would be turned adrift; but taking into consideration the large amount of statesmanlike ability, practical knowledge of the subject, and legal skill which doubtless existed in the House, and also taking into consideration the fact that all these various points would be discussed in the House, he believed that so much common sense would be brought and converged on the Irish question that it need not be regarded as hopeless, nor need it occupy the attention of Parliament so long as was feared, or hoped, by some people. Happily, as the injury of a sentimental grievance lay in the intention of offending, so the intention of reparation, if honestly professed, was of itself an atonement. For his own part, he believed that no nobler message of reconciliation had been ever sent from one divided part of a country to another than that implied by the attitude of the Liberal party at the late elections. He believed it would be accepted as such, not, perhaps, by those desperate men who took part in Fenianism, but by that large and important body of men who, if they took no part in Fenianism, held aloof from the movement because they disapproved, not of the end but of the means, and who had arrived solemnly at the conclusion that the greatest evil which had ever befallen Ireland was her connection with England. Those people had recognized this attempt of England to retrace her steps, to do despite to her national want of sympathy and imagination, to put herself in the position of the Irish people, and to judge the Irish question from their point of view; and from this they anticipated an era of hope. The hon. Gentleman concluded by moving—

"That an humble Address be presented to Her Majesty, to thank Her Majesty for the Most Gracious Speech delivered by Her Command to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that Her relations with all Foreign Powers continue to be most friendly, and to express our satisfaction at learning that they cordially share in the desire by which She is animated for the maintenance of Peace:

"Humbly to thank Her Majesty for informing us of Her Majesty's endeavours, in concurrence with Her Allies, to effect a settlement of the difficulties which have arisen between Turkey and Greece, and to express the gratification with which we learn that these joint efforts have aided in preventing any serious interruption of tranquillity in the Levant:

"Humbly to thank Her Majesty for informing us that She has been engaged in Negotiations with the United States of North America for the settlement of questions which affect the interests and the international relations of the two Countries, and to assure Her Majesty that we share in the earnest hope that the result of the Negotiations may be to place on a firm and durable basis the friendship which should ever exist between England and America:

"To assure Her Majesty that we have learnt with grief that disturbances have occurred in New Zealand, and that at one spot they have been attended with circumstances of atrocity; and that we participate in Her Majesty's confidence that the Colonial Government and people will not be wanting either in energy to repress the outbreaks, or in the prudence and moderation which we trust will prevent their recurrence:

"Humbly to thank Her Majesty for directing that the Estimates for the expenditure of the coming financial year should be submitted to us, and to express our satisfaction at learning that while they have been framed with a careful regard to the efficiency of the Services, they will exhibit a diminished Charge on the Country:

"Humbly to assure Her Majesty that we rejoice to learn that the condition of Ireland leads Her Majesty to believe that we may be spared the painful necessity, which was felt by the late Parliament, for narrowing the securities of personal liberty in that Country by the suspension of the Habeas Corpus Act:

"To express our readiness to inquire into the present modes of conducting Parliamentary and Municipal Elections, and to consider whether it may be possible to provide any further guarantee for their tranquillity, purity, and freedom:

"Humbly to thank Her Majesty for informing us that measures will be brought under our notice for the relief of some classes of occupiers from hardships in respect of Rating, which appear to be capable of remedy; for the extension and improvement of Education in Scotland; for rendering the considerable revenues of the Endowed Schools of England more widely effectual for the purposes of instruction; and for applying the principle of representation to the control of the County Rate, by the establishment of Financial Boards for Counties:

"To thank Her Majesty for informing us that we shall be invited to recur to the subject of Bankruptcy, with a view to the more effective Distribution of Assets, and to the abolition of Imprisonment for Debt:

"Humbly to assure Her Majesty that our serious attention will be given to the Ecclesiastical Arrangements for Ireland, and to the legislation which will be necessary in order to their final adjustment; and that in the prosecution of the work, we shall bear a careful regard to every legitimate interest which it may involve, and that we shall be governed by the constant aim to promote the welfare of Religion through the principles of equal Justice, to secure the action of the undivided feeling and opinion of Ireland on the side of Loyalty and Law, to efface the memory of former contentions, and to cherish the sympathies of an affectionate People:

"Humbly to assure Her Majesty that, with Her, we fervently pray that the Almighty may, in this, as in every matter of public interest, never cease to guide our deliberations, and that He may bring them to a happy issue."

Mr. MUNDELLA said, he was sure the House would believe him when he said it was with no conventional humility nor assumed difficulty that he rose for the first time within those walls to address hon. Members. He trusted he should experience at their hands the same indulgence which they were accustomed to accord to those who addressed the House for the first time. When he was elected a Member of the House he formed a resolution not to trespass upon its attention unless he had a practical knowledge and acquaintance with the subject under discussion, and unless it seemed to him important that he should state his opinions upon it. When the honour of seconding the Address was unexpectedly conferred upon him he felt that it was owing, not to any personal reputation attaching to him, but to the circumstance that he was the representative of a large constituency, and that he had been selected by the working classes of that constituency to represent them in Parliament. Probably there had never been so many grave and important questions laid before Parliament in a Speech from the Throne as in the Address which Her Majesty had delivered that day.

When the Reform Bill of 1832 was passed many people were apprehensive as to the results to the security of the institutions of the country, and as to the effect on our legislation. He believed, however, it was now admitted on all hands that the legislation since that time had been wise, wholesome, beneficent, and stimulant; and it might be therefore fairly assumed that the larger measure of Reform passed the Session before last would result in an increase of security to our institutions, and give the same satisfaction to the people of the country that had characterized the first Reform Bill. Speaking as a representative of a large constituency of working men, he might make a remark which could not be gainsaid. It was that never in his experience, and never probably in the history of this country, were the people of this country, as a mass, so loyal to the Throne and institutions of the country as at the present time. Whatever might be the grievances, real or supposed, of the working classes of this country, it was to that House they looked for redress. It was to that House and the Constitutional means which it afforded them they looked for all the beneficial changes they desired.

Her Majesty's Speech assured Parliament of the peaceable relations of this nation with foreign Powers. The people would receive that assurance with satisfaction, because peace would enable us to develop a beneficial home policy. It would enable us to improve our legislation, to enlighten our people, and devote our attention to those great social questions which at this moment were awaiting solution.

The Estimates referred to in the Royal Speech were stated to be framed with a careful regard to the efficiency of the public service, and it would be satisfactory to the House and to the country to know that they would show a diminished charge upon the public. He believed that if there was one question in which more than another the people of this kingdom felt interested, it was that of economy. While there was no desire and no need of parsimony, the nation did certainly desire efficiency combined with economy. Large reductions in the public expenditure would conduce to considerable reduction in taxation, and this would, it was believed, lead to no slight diminution of that pauperism, the existence of which was at this moment felt to be so great an evil.

He rejoiced greatly at the promised inquiry into the mode of conducting Parliamentary and municipal elections. He rejoiced that the word municipal was coupled with Parliamentary, because for years past there had been boroughs in which no election had been carried on its own merits, but in which bribery had always prevailed irrespective of the qualifications and characters of the candidates. He was aware of a case in which a sum of £10,000 had been spent in carrying a single municipal election; and, in some towns, during the last twenty years, there had been no contested election decided on its own merits. It was his opinion that the country had arrived at a conclusion that electoral freedom and purity of election could only be secured by the Ballot. He believed, therefore, that it would not be long before the country was congratulating the hon. Member for Bristol (Mr. H. Berkeley) on the success of the measure which that hon. Gentleman had for so many years advocated in the House of Commons.

The Speech from the Throne further announced that a measure would be brought forward for the relief of some classes of occupiers from hardships in respect of Rating. The ratepaying clauses of the Reform Act were, no doubt, alluded to in that passage. He was sure that when the House was enacting those clauses it never intended or expected they would work such hardships as had resulted from them. He held in his hand a letter from the President of the Chamber of Commerce of Birmingham, in which it was stated that the Guardians of the parish of Birmingham had resolved to petition Parliament on the subject. It appeared that in connection with the levy of the May rate in that parish 15,000 summonses and 5,000 distress warrants had been issued, and that no fewer than 6,000 persons had applied to be excused from payment of the rates on the ground of abject poverty. Mr. Wright, the gentleman referred to, said that it was impossible to overrate the suffering which had been inflicted on the population of Birmingham by the abolition of compounding. It had made the very name of Reform to be cursed by large numbers of poor people, who felt that its effect was to impose a penalty on them for the exercise of the franchise. It also acted with peculiar injustice on single women. In other boroughs there had been the greatest difficulty and labour imposed upon overseers and rate-collectors, while there had been increased cost of collection and great loss of rates. He was glad, therefore, that the House would shortly be called upon to do justice in this respect.

They found that their attention was to be invited to Bills for the extension and improvement of education in Scotland, and for rendering the considerable revenues of the Endowed Schools more widely effectual for the purposes of instruction. Every one ought to rejoice that Scotland, which had always been forward in education, would be enabled to complete her educational system. The parochial schools were no longer equal to the exigencies of the day, and in the large towns an immense mass of the poorer classes of the population were receiving no education. He understood that Boards were to be instituted for the purpose of making sufficient provision for education in districts where at present there was not that provision. The Endowed Schools of England was a subject which required the gravest attention of the House. There was no doubt, from the Report of the Schools Inquiry Commission, that the greatest possible abuses existed in the Endowed Schools of this country. He had known a case of a small school endowed for the education of thirty poor children twenty years ago, where the parishioners in their wisdom, not having a schoolmaster at hand, had taken a man who had been working on the roads and appointed him; and he was the schoolmaster to this day, irresponsible and irremovable. He would be glad to see exhibitions opened to clever boys in national and elementary schools. Such encouragements would promote habits which would give boys an aptitude for business.

They found that Parliament was promised a Bill on the subject of Bankruptcy. If there was a commercial question on which commercial men felt strongly, it was on the gross inefficiency of the Bankruptcy Laws. Our Bankruptcy Laws had done much to injure the reputation and credit of this country abroad, while they had entirely failed in punishing the great criminals who sinned against the principles of honest trading. The small trader whose guilt was of the open and vulgar kind was perhaps punished; but the large trader, who by subtle proceedings managed to defraud his creditors on a grand scale, escaped with comparative immunity, and was set free to renew his depredations on society over and over again. Without pretending to know anything of the details of the promised Bankruptcy Bill, he thought he might assume that it would in its principles approximate to the Scotch system, which gave great satisfaction in Scotland. While 12½ per cent was sufficient to realize the assets in a Scotch bankruptcy, in this country nearly three times that percentage was required. It would, therefore, be a great satisfaction to the commercial community of England to know that there would be a Bill to amend our Bankruptcy Law.

He should not detain the House on the subject of the Irish Church—a question which the hon. Mover of the Address had treated with so much ability. What had already been said on it in the House of Commons had been sufficient to induce the country to come to a decision. In principle, the question might be taken to be settled. All that remained to be done was to settle the details. This would be done by the right hon. Gentleman at the head of the Government (Mr. Gladstone). He ventured to hope that in regard to Ireland there would be legislation which would tend to make that country one with England and Scotland — one with them in its institutions, and one with them in respect for the honour, the laws, and the liberty of the British Empire. In conclusion, he would also express a hope that the Reformed Parliament — which had now commenced its sittings— would enact such laws as would conduce to the security of the Throne, the honour of the State, and the prosperity and happiness of the people. The hon. Gentleman concluded by seconding the Address.

Motion made, and Question proposed, "That, " &c.—[See *Page* 61.]

MR. DISRAELI: I am glad, Sir, to find that the hon. Gentleman who has made this Motion has so framed the Address, in answer to the Speech, that he has not asked the opinion of the House upon any controverted question. The salutary rule which he has followed has obtained of late years in our proceedings, and its observance has been attended with considerable advantage. Generally speaking, our proceedings have been conducted in a manner satisfactory to both sides since that rule was established; but there are circumstances attending the relations between Her Majesty's Government and the present House of Commons which just now render the adoption of that rule particularly convenient, and one which I think the House ought to approve. Her Majesty's Government have acceded to power, in consequence of the unmistakable declaration of the constituencies that they wished the right hon. Gentleman and his Friends to be intrusted with the opportunity of dealing with a question, no doubt, of great difficulty; and, in my opinion, it would be unjust, equally to the Government and to this House, if we were to allow ourselves to be drawn into a partial and desultory discussion on a question which ought to be placed before us in a complete form, and upon which we ought to have the advantage of the responsibility and knowledge which result from a Ministerial exposition. Considering the circumstances under which the present Administration was formed, no Government, in dealing with the question of the Church in Ireland, could possibly have come before the House with a stronger *primâ facie* claim to a full and candid consideration of the question; and as the right hon. Gentleman has very properly given Notice that he will on an early day invite the attention of the House to the subject, I would confine myself at present to expressing a hope that when that statement is made it will be received by the House, and will be considered by the House with the gravity worthy its importance, and calculated to maintain the reputation of this Assembly.

Sir, I am sure that the House heard from the Throne, with entire satisfaction, the description of the relations which subsist between Her Majesty and foreign Powers, and that the House will echo the answer made in the Address. These relations are described — and I have no doubt truly described—as being of the most friendly character, and as long as those relations are conducted, not upon the principle of selfish isolation, but one of sympathy with the fortunes, with the progress, and prosperity of other nations, or even with those troubled conditions of things which sometimes must occur — those friendly relations will, I believe, be maintained. It is, I am quite sure, a matter of great and just congratulation to Her Majesty that, by her friendly interposition, and that of her Majesty's allies, the settlement of the difficulty between Greece and Turkey has probably been brought about. That, in the gracious Speech from the Throne, we are not informed of the particular mode in which that friendly interposition was brought to bear is, to me, a matter of regret. When so considerable an event as a Conference between the Great Powers has occurred upon a matter which might have led to a European war, and when the Sovereign of this country was represented in that Conference, I think it is almost without precedent that no notice should be taken of the subject in the Speech from the Throne, and that the occurrence of so considerable an event should not be brought before the consideration of Parliament. I would even frankly admit that I wish we had been thus officially informed that the Conference had been held, because had that been done we should have been promised Papers, and, therefore, we should have had an opportunity of becoming acquainted with the reasons why that Conference was agreed to. At present, I confess, I do not clearly comprehend the cause of that Conference, because the friendly interposition of Her Majesty and her allies might have been made in the usual diplomatic manner, and I cannot doubt that if the expression of their opinions and feelings had been properly conveyed, the same result would have happened. I do not, however, care to be critical upon this matter, because the result is one which the House must regard as highly satisfactory. The independence of Turkey has been asserted, and asserted by the Porte itself, appealing to the spirit of public law and the opinion of Europe. Founded on that appeal the Porte has vindicated its authority, and I think the general opinion is that a sound and just policy has been successfully asserted by a Power in whose welfare England is undoubtedly interested. I trust that among the not least favourable consequences will be that the organized system by which the Porte has been continually assailed of late will probably cease, that this considerable check will afford a moral lesson to the habitual disturbers of the peace in that quarter of the world, and that the Turkish Government will have the opportunity of devoting its energies to the development of the resources of that country, still for its richness unrivalled, and in which, I believe, they will find the best mode of extricating themselves from financial difficulties, which, though considerable, are not more so than those of many other countries.

The hon. Gentleman very properly dilated upon the relations between this country and the United States of America. I should have been very glad if it had been in the power of Her Majesty's Government to announce to us to-day that the Convention between the two countries had been ratified by the Senate; but it at least remains for us to express our more than hope that that ratification will take place, anticipated as it is by men of wise and temperate opinion on both sides of the Atlantic; and that thus an act will occur that will terminate a long misunderstanding between two countries deeply interested not only in each other's fortunes, but associated with each other by feelings of mutual affection and respect.

I was glad to observe in a short, but important, paragraph in the Address, that our attention is called to the preparation of the Estimates for the coming financial year, and that in this instance the principle, which, though the right one, has not been invariably followed, is to be observed, that they are to be framed "with a careful regard to the efficiency" of the public service. I am convinced that the mere curtailment of expenditure without reference to efficiency is one of the unwisest courses which it is possible to adopt; because the inevitable result is that it leads to a great reaction of profusion, and that you subsequently find you have as large an expenditure as you had before the reduction, with the additional disadvantage of an inefficient service in the interval. I, therefore, highly approve that the reductions are to be made on the principle of efficiency, and I have no doubt that, guided by that principle, the result will be satisfactory to the public.

I am not surprised to find that Her Majesty's Government will not ask for a renewal of the extraordinary powers by which the rights of the Irish people have of late years been occasionally suspended. It is a subject upon which, of all others, we must be guided by the opinion of the existing Government of the day—we must be guided by the opinion of those who at the same time are in possession of the most authentic information on the subject, which we, who are in a mere private position, cannot obtain, and who are under a consciousness of responsibility that we cannot for a moment share. I have no doubt that the Government have well considered this subject, and that they have taken a wise course, whatever may be the result, in what they have intimated to us to-day. Now, this leads me to a paragraph on which several observations have been made by the hon. Gentlemen who moved and seconded the Address, and it is one which, I think, requires some little explanation. When I read that paragraph and found that we were recommended to inquire into the present mode of conducting Parliamentary and Municipal Elections, I confess I could not help feeling that it was involved in some degree of ambiguity. But reading it with the interpretation which we have received from the hon. Mover and Seconder of the Address, I collect this—that Her Majesty's Government propose to appoint Parliamentary Committees in both Houses to inquire into the present modes of conducting Parliamentary and Municipal Elections, and to consider whether it may be possible to provide any "further guarantees for their tranquillity, purity, and freedom." Now, Sir, if I am right, I cannot refrain from observing upon what, according to my experience, appears to be a very unusual course,—namely, that Her Majesty's Government, when they found inquiry necessary upon any subject, should put the statement of the fact into the mouth of the Sovereign, without being prepared to propose on it a Royal Commission. If it is not a case for a Royal Commission, and if Her Majesty's Ministers think a Parliamentary inquiry sufficient, I do not think that this is a matter which ought to be announced in a Royal Speech, but would have been more properly brought under our notice in the ordinary course of business in the House. One remark upon this idea of considering "whether it may be possible to provide any further guarantees for" the "tranquillity, purity, and freedom" of Parliamentary and Municipal Elections, and I confine myself to Parliamentary elections. We must remember that last year we passed an Election Act, and, whatever doubt may have been entertained then as to the policy of it, I think no one now can doubt it has provided further guarantees for "tranquillity, purity, and freedom." I think the results of the legislation of last year in all respects, as read from the table this evening, in interesting detail, must have convinced every one that that one Act has already produced very considerable effect. I would say more than that; I think that the public opinion of the country has recognized, from the experience of late elections, and from the application of that Act to the elections, the fact that at last we have obtained, if not an adequate, if not a complete—and I I leave that open for future discussion—yet a very considerable guarantee for the "tranquillity, purity, and freedom" of our elections. It would be wise, to my mind, to give that Act fair play, because one thing is quite clear, and it is that none of us will be able to appreciate, sufficiently estimate, and comprehend the influence of the Election Act of last year until there has been another General Election. It will be at the next General Election you will find out the beneficial consequences of the searching and satisfactory inquiries which are now carried on under this Act. I think that every impartial man on both sides of the House must agree that, by the legislation of last year, we have at last obtained a very considerable guarantee for the purity and freedom of our elections; and, in my opinion, it would be a very wise course to watch the progress of that Act, and to take care that it has a fair opportunity of effecting what it was intended to do, and which, I think, so far as we can see, it has so satisfactorily accomplished.

There is one paragraph in the Speech which I read with some regret, and that is the paragraph which refers to education. No doubt the subject of Scotch education deserves attention — the late Government had prepared a Bill on the subject—and no doubt a measure by which the revenues which still exist for the purpose of education, and which are so little utilized, may be rendered more effectual would be approved. But I regret very much to see that in this portion of the Speech there is no longer any mention made of a general measure of popular education. I cannot say I think that the circumstances which at present exist render such legislation on our part less necessary—I would say less urgent—than a year ago; and I am surprised to find that Her Majesty's Government seem to be of opinion that this is a subject which can be avoided. I regret very much that the measure introduced last year, not, indeed, as a complete measure, but yet one which would have been an advance, was not passed. I did not regret so much that it was not passed last year; for I thought, whoever might be Minister, it would be impossible for this Session to lapse without a general measure of education. Omitted as it is now, no longer noticed in the Speech of the Royal Commissioners, and of course not in the Address, and with the prospect which we have before us of our time being occupied with subjects which, however happily treated they may be, must lead, I think, to much debate and discussion, I regret to feel that the progress of any measure of public education appears to me now to be postponed I would almost say *sine die*. There are other measures of importance mentioned by Her Majesty's Government which I am sure the country would be glad to see dealt with during the course of the present Session. Many of them, like that relating to Bankruptcy, have for a long time occupied attention, and have been matured, I have no doubt, by the thought and experience of many who are Members of this House. I trust under any circumstances we shall be able to dispose of the particular question of Bankruptcy in the course of the present Session. There is no doubt Her Majesty's Government have to deal with considerable questions, and they have to deal with one of the gravest and most difficult a Ministry can entertain. To effect the fresh financial arrangements founded upon the sound principle which they have announced in the Royal Speech they have necessarily to bring forward measures which will demand much attention; and no doubt they will have to depend very much upon the forbearance, the assiduity, and the patience of the House in order to effect the progress of public measures. We have been reminded by the hon. Gentleman who moved the Address that the Government have to appeal to a House formed of new materials—and a new House necessarily is in a great degree inexperienced; but I hope I may be permitted to express my firm conviction that, though the materials of the House may be novel, the country will find that the legislation which has led to the introduction of that novel material was not a mistake; that this House will not be less efficient than those that have preceded it; and that, both in the fair manner in which its Members will consider questions and the business-like method in which they will apply themselves to carry any great Bills which may be necessary, they will so conduct themselves as to maintain the reputation of this House and win the confidence of the country.

MR. WHITE said, he would interpose only for a moment between the House and the right hon. Gentleman (Mr. Gladstone), but he could not forbear remarking that he thought there was an omission in the Royal Speech. He felt something akin to disappointment that no reference was made to the great events which had recently occurred in Spain. Every friend of civil and religious liberty must have watched with peculiar interest the changes which had taken place in the Peninsula; if the comity of nations was to be considered a thing of value in our political life, it was matter of regret that no reference had been made to the conduct of the Provisional Government and the people of Spain; and he believed that courtesy and kindness were as acceptable in public as they were in private life. He was not eccentric or hypercritical in making these remarks, because when the King of Naples was expelled from his dominions in the autumn of 1860, in the Speech delivered from the Throne in 1861 Parliament was told—

> "Events of great Importance are taking place in *Italy*. Believing that the *Italians* ought to be left to settle their own Affairs, I have not thought it right to exercise any active Interference in those Matters."

He should have been much pleased with a similar declaration on this occasion in reference to Spain, because the Spanish people were high-spirited and brave, and were once a great people. Seeing that through so many years of traditional misgovernment they still cherished a high national spirit, he thought a recognition of the fact would have been acceptable to them, and worthy of an Assembly like this, whose boast was that it teaches the nations how to live.

MR. GLADSTONE: I rise, Sir, to offer some explanations to the House upon points which have been raised in the speeches we have heard from the right hon. Gentleman opposite (Mr. Disraeli) and from my hon. Friend (Mr. White) on this side; but there is nothing in the character of the occasion or of the speeches which can render it necessary for me to trespass for any length of time upon your attention. I think the House will agree with me that my hon. Friend who has proposed this Address acquitted himself of the task with marked ability; and my hon. Friend who seconded the Address, although he pleaded with so much modesty, in the introduction to his sound and judicious remarks, for the indulgence of the House, may, I feel confident, rest assured that not only the importance of the constituency he represents, and not only the fact that the class of working men very largely contributed to his return, but likewise the intelligent interest he has taken in the solution of questions of the greatest interest and importance to the community will at all times secure for him the friendly and kind attention of this House. Sir, in the remarks of the right hon. Gentleman opposite (Mr. Disraeli), especially so far as they had reference to the most important of all the subjects likely to engage our attention during the Session, I have found not only nothing to complain of, but nothing except what betokened a spirit of moderation and a tone entirely worthy of the high position which he holds. If, therefore, I remark upon his comments in a controversial tone, with a view to satisfy—I will not say so much the objections he took as the scruples he has expressed, it must not be taken that I speak in a spirit of complaint. But I will first deal with the observation of the hon. Member for Brighton (Mr. White), who regretted the absence from Her Majesty's Message of any reference to the revolution in Spain. My hon. Friend justly observed in his remarks that the revolution in the kingdom of Naples in 1860 formed a not improper subject of mention in the next following Speech of Her Majesty; but he will recollect that the Neapolitan revolution of 1860 was immediately followed by the most unequivocal signs of popular and general approval, and by the establishment of a Government which appeared to us to present the promise of stability; and my hon. Friend is aware that the revolution in Spain has not up to this time led to that desirable result. It seems, therefore, hardly expedient, that, on the one hand, we should, through the mouth of Her Majesty, invite Parliament to express satisfaction with a work as yet incomplete—since, although it has passed through its destructive stage, it has not yet reached its constructive stage—or, on the other hand, that we should run the risk, by a reference in bolder terms, of being thought indisposed to sympathize with the feelings of the Spanish people, which undoubtedly do to a very great extent command the strong sympathy both of the Government and the people of this country. Sir, the right hon. Gentleman takes something like exception to the paragraph referring to the differences between Turkey and Greece, on the ground, if I understood him rightly, of its omission of any reference to the causes which led the Government to become a party to the assembling of the Conference. Now, Sir, the reason this paragraph has been couched in general rather than pointed terms is that, although we think the end in view has been substantially gained, we cannot as yet say it has been formally attained. The envoy despatched by the French Government to Athens as the bearer of the resolution of the Conference had, according to the latest intelligence which has reached me, arrived at Marseilles upon his return, but we are not at this moment, though we may be within the next four-and-twenty hours, cognizant of the exact nature of the intelligence he brings. And, with respect to the assembling of the Conference, I think the right hon. Gentleman will see that the best opportunity which can be given to the House of forming an opinion upon the subject will be the time when we are able to present the Papers that relate to it. Until the answer of the King of the Greeks has been received, and that answer has been found to be of such a character as to permit the Conference to declare itself formally discharged of its office, and in consequence dissolved, we should not be justified in assuming, however we may hope and believe it to be so, that the whole question was at an end, or in promising to produce the Papers having reference to the subject. I cannot pass over this paragraph of the Speech without allowing myself the satisfaction of dwelling for one moment upon the nature of these transactions. It is not to claim for Her Majesty's Government, nor for this country, any special credit or applause for what has occurred; it is rather to record and take note of what appears to me to be a sign of some real advance in civilization. Here, Sir, is a case where two Powers, exasperated by traditional animosities, and with their respective transactions entangled by various sympathies and antipathies of race, were on the point of resorting to the arbitration of force and bloodshed for the settlement of their differences—and where the employment of purely moral influence has been sufficient to avert that calamity. Now, I am quite certain that if there exists one sentiment more unequivocal than another on both sides of this House, and on every bench of it, and throughout the country, it is that, without resorting to arbitrary doctrines or pedantic rules, we may be enabled quietly and steadily to make progress towards establishing in Europe a state of feeling which shall favour and facilitate that common action among the Powers of Europe whereby, becoming the organ of legitimate and strong opinion, they may be able by this kind of influence alone to avert the great calamity of war. What is required for that common action is the absence of intrigue and a total repudiation on the part of every Power concerned of narrow and selfish views. It is but justice to the Powers engaged in these recent transactions that I should state, on the part of my Colleagues and myself, how fully we acknowledge that entire singleness of view and of purpose, that simple prosecution of great public objects, by which every one of those Powers has been governed in the negotiations. With respect to the Government of France, it is, happily, no novelty that that Government should be allied with that of England in an especial manner with respect to the settlement of affairs in the East. With respect to Prussia, it was Prussia that perhaps principally suggested the method of proceeding by Conference. With respect to Austria and Italy, their conduct has been actuated by precisely the same spirit as that of the Powers I have named; and no one could suspect from anything which has occurred that the result had ever been made the battle-field of conflicting interests and pretensions. The position of Russia was singular, inasmuch as she had the power by her single dissent to baffle the whole proceedings and frustrate the peaceful object of the other Powers; but although a question has been raised—perhaps justly—with respect to the conduct of a diplomatic agent of Russia, which has not appeared to the world to be in complete conformity with the specific intentions of the Imperial Government, it is but common justice to that Government to admit that its influence has been used in the most positive and decided, and in the fairest and most respectful manner to bring about the acquiescence of interested Powers in a result to which they were naturally somewhat reluctant, but which, at the same time, their best friends believed to be a result conformable with their true interests. And, not least of all, it must be admitted that the Porte, which had suffered injury at the hands of Greece on grounds of International Law, had substantial cause of complaint respecting which it was entitled, if thought fit, to make use of its undoubtedly superior material means. It should, therefore, receive credit at the hands of this House for having been content to forego what in other times and under other circumstances might have been supposed to be a great advantage, and to place its cause in the hands of its allies, reposing entire confidence in the justice of the motives from which they acted. Nor do I think that the King of the Greeks should be entirely omitted from our consideration of what has occurred. He has had serious internal difficulties to contend with, and it is gratifying to find that, at this early period of his life, he has shown himself capable of appreciating national interests, and especially the conditions of national honour and national dignity. It is not necessary to dwell at any length upon the paragraph relating to America; we have endeavoured to be very careful in the statement we have made, and it is not to be supposed, simply because that paragraph expresses no overweening confidence, that we entertain the smallest doubt that the same good sense and good feeling which governed the course of those negotiations under the noble Lord opposite (Lord Stanley) and the American Executive will continue to govern the policy of that great country. The right hon. Gentleman has also adverted to the paragraph recommending inquiry into the present mode of conducting Parliamentary and Municipal Elections; and in the first place he puts a construction upon it, and next he expresses apprehension of the tendency he thinks may be ascribed to the measure he supposes to be contemplated. The proper construction to be put upon the paragraph is not precisely what the right hon. Gentleman supposes. When Her Majesty's Government recommends to Parliament inquiry into a particular subject, I think I stand on the ground of precedent when I say it by no means implies that that inquiry will be made in both Houses. In fact, it is not in the power of Her Majesty, conformably with the ordinary course of business, when she makes a promise to Parliament respecting inquiries or measures, to guarantee absolutely the fulfilment of that promise in both Houses. For instance, a measure is promised with respect to Bankruptcy. That measure will be introduced in one House; but what guarantee have we that it will ever go before the other? I think I may say, with respect to this inquiry, that a recommendation of this kind is perfectly satisfied in its meaning and intention if the Government be prepared, as it will be prepared upon its responsibility, to recommend that the inquiry be taken up and prosecuted either in the one House or the other. Without saying, therefore, that the inquiry is beyond the cognizance or jurisdiction of the other House, if they thought fit to make it a matter of investigation, it is obvious that its object and scope belong to this House, which has naturally the deepest interest in the matter. The right hon. Gentleman is, I think, not well founded in his criticism when he states that the opinion of Her Majesty's Government being in favour of inquiry, the subject ought to be committed to a Royal Commission, or else ought to be kept to themselves until they make a Motion in this House. Now, Sir, it appears to me, with respect to the propriety of introducing topics of this kind into the Speech, it depends entirely upon the magnitude of the question, upon the interest it commands, upon the absence of any public inconvenience in reference to it, and upon the confidence the Government entertain that they will be able to give effect to their intentions. Upon these grounds, it did appear to us eminently suitable that we should at this moment, when very great interest is felt in the subject throughout the country, do something to satisfy that interest by the announcement of our own clear and unequivocal intention. Then the right hon. Gentleman states that the paragraph in question seemed—as it never was intended to be—in the nature of a disparagement of the working of the new Act for the trial of Election Petitions. The right hon. Gentleman says that we have obtained a fresh guarantee for the "tranquillity, the purity, and the freedom of elections." Sir, I do not in the least object to the expression of that opinion by the right hon. Gentleman. I think that probably until the whole of the petitions have been tried and disposed of, the time has hardly come for expressing anything like a positive judgment in a speech in this House, and still less in a Speech from the Throne. But I confess my own view and that of my Colleagues is not unfavourable to the working of the Act as far as it goes; and considering the great share the right hon. Gentleman has had in passing the Act through this House, I very sincerely congratulate him on its having become the law of the land, and I trust the more its character is unfolded in the working, the more the favourable view of it may be confirmed. But the working of that Act has, I conceive, reference not to direct guarantees for the "tranquillity, purity, and freedom of elections," but to indirect guarantees—very important it is true, but still wholly indirect—which are afforded by a good system of punishing breaches of "tranquillity, purity, and freedom of election" whenever they occur. It is not the working of the Act which would be the direct and natural object of inquiry by this Committee. Its working would probably be examined; but the object of the inquiry that we propose relates, not to the punishment but to the prevention of breaches of "tranquillity, purity, and freedom of elections;" and the right hon. Gentleman will see that every thing that occurs, from the first beginning of an election down to the final act of return, is included within the idea, and within the province which, if the House approves the proposal of the Government, will be assigned to this inquiry. The right hon. Gentleman made further comments upon the paragraph in the Speech which refers to education, and stated that he deeply lamented the omission of all reference to the question of national education on a broad and general basis, and that he feared it was to be regarded as postponed *sine die*. Sir, I will not pretend to quote the authority of the right hon. Gentleman and his Colleagues, who did not mention the subject of national education in the Speech of last year; and yet, although they did not think it so necessary to mention it on that occasion as the right hon. Gentleman now believes it to be, they did introduce a measure on that subject. But two questions arise to my mind in connection with this criticism —the first is, whether real progress in great national questions is achieved by the simple fact that a Government introduces a measure to Parliament without the hope of passing it; and the second question is, what is the purpose of a Queen's Speech? Is it the business of a

Queen's Speech to set out in detail, I will not say all possible measures, I will not even say all great measures, but all urgent measures? I think that is putting the question fairly. Now I believe that the criticism of the right hon. Gentleman does proceed upon an implied proposition,—which I think erroneous,—as broad as that. I think he seems to suppose that every great and urgent measure ought to receive notice in a Speech from the Throne. I humbly differ from that opinion, although the authority of the right hon. Gentleman is a high one. It seems to me that there is no greater temptation to a Government—and against which a new Government especially ought to be on its guard—than that of promising in a Speech from the Throne a great number of measures of vast and widely-extended interest, without any careful reckoning or calculation of the time at their disposal for carrying them into law. Sir, I believe that if this Speech which has been delivered from the Throne, be open to criticism at all, and if the advice of Ministers in the framing of it is to be challenged, it is rather for its containing too much than too little. I may, perhaps, over-estimate the great demands which will be made on our time by one great measure; but when I see that we speak of dealing with the hardships of occupiers as regards Rating, with education in Scotland, with Endowed Schools in England, with the representative principle in controlling the County Rate, and with the subject of Bankruptcy—these are five matters all of them of very great importance—in my opinion we shall be among the most fortunate of administrators should we be able in the course of this Session, with all the aid that the patience, intelligence, and indulgence of the House can give us, to carry those five measures, as well as our one greater measure, to a successful issue. Sir, the motive by which we have been guided in our advice to the Throne as to the enumeration of subjects is a very simple one. We have felt, as we have said, that one question had a paramount claim upon our notice, upon our care, upon our most patient and determined energies, such as they may be —I mean the settlement of the great question of the Irish Church; and I think that, apart from any differences of opinion prevailing in this House, every man will agree that those who take the responsibility of stirring such a controversy as that are bound to allow no secondary object, however important it may seem to them, to interfere with their efforts for bringing it to a satisfactory issue. We had then to ask ourselves what subjects there were which were great, and what subjects there were which were urgent, and which with favourable augury we might hope to introduce into the House of Commons, because we might hope in a very great degree, or almost entirely, to separate them from the discussions or dissensions of party. If we wish for party conflict it may be that, in the one wide field open before us, we shall find enough to satisfy the greatest appetite. At all events, it is our wish not to multiply such subjects; and with reference to one which may be regarded as a subject of party conflict—I mean the question with respect to Rating—I will say that we shall endeavour to treat it in such a way as to remedy a practical grievance without reference to former controversies. The same thing applies to all the other great questions introduced in the Speech; and I hope that the House will approve the principle by which we have been actuated, first of all in endeavouring to afford it abundance of occupation for the employment of its various energies and resources upon questions not likely to lead to strong party differences; and secondly, to keep the field clear, as far as we can, for the great question of the Irish Church. Sir, we are deeply sensible of the pressing and urgent nature of the question of national education; and permit me to say this one word more, that we do not think this Speech without practical indications of our convictions in that respect, because the settlement of popular education in Scotland, though a much easier and somewhat narrower measure than the settlement of the same question in England, is a matter much more material than may be supposed for facilitating the solution of the problem in this country. And the same object will be promoted by the measure to be introduced for the regulation of Endowed Schools. And as I have mentioned this question and deprecated the inference—I think somewhat precipitate—of the right hon. Gentleman, that the question of national education is undervalued simply because it is not mentioned in the Speech, I may cover many other great subjects with the same declaration, and in like manner protest against the application in this case of the ancient proverb, that that which is out of sight is out of mind. There is one subject in particular which, perhaps, beyond all, after what has been named, occupies a very high place in the estimation of Her Majesty's Government as to its importance and necessity—I mean the question of the relations of landlord and tenant in Ireland—a subject which it would be totally impossible for us to justify our omission to deal with during the Session, or to mention in the Speech, upon any other ground than that we cannot overcome the physical limitations of time by which we are bound, and that it would not be in the fulfilment of our duty, but a breach of our duty, if we were to hold out to the House expectations of legislation upon matters to which we do not think that a just reckoning of our resources would warrant us in applying our attention. On the Irish Church I will only say that I hail with satisfaction the declarations of the right hon. Gentleman. Our earnest desire is to act in the spirit of that portion of the Speech which expresses the conviction of Her Majesty that this question will be approached and that this work will be prosecuted with a desire to afford a just satisfaction to every legitimate interest; and that there will be upon our part every study, if we can, to satisfy the sympathies, and, if we can, not to provoke the antipathies and animosities by which this question is beset. Our hope is that the Parliament of this country will be disposed to take a just and dispassionate view of the stage at which the question has now arrived, and of the prospect which the future offers, and will be inclined not so much, in some of its sections, to insist upon a rigid adherence to what has been formerly desired, as effectually to co-operate in the prosecution of a purpose which is essential to the welfare and the unity of the Empire. The House, I feel satisfied, will not be wanting on its part in the endeavour thus to deal with a subject of as grave consequence and as great difficulty as has ever been intrusted to its care. And, on our part, great will be our responsibility and severe will be the censure which we shall deserve, should we, either by the substance of our proposals or by the manner in which we endeavour to press them forward, fail to sympathize and correspond with those good and wise dispositions on the part of the House.

MR. NEWDEGATE said, he wished to call the attention of the House to a matter connected with their own proceedings. Every one might have remarked when the Clerk read the Reports made by the Judges, with respect to the Election Petitions they had tried, that the substance of those Reports was brought before the House in a manner in which it was impossible for the House to deal with it, and he (Mr. Newdegate) could not help feeling that this was scarcely prudent or becoming on the part of the House, for this was the first occasion on which they had received Reports from the Courts of Law, after those Courts had been intrusted with the conduct of inquiries and of business deeply affecting the composition and the very existence of the House itself. He was strongly of opinion that some alteration of their method of receiving these Reports ought to be adopted, for the manner in which they were now received was simply trifling with a responsibility which the House had for centuries refused to delegate, but jealously retained in its own hands. This was not the only respect in which he felt uneasiness as to the future of the House. Hitherto the House of Commons had been the first representative Assembly in the world—the most independent representative and deliberative body intrusted with legislative powers the world had ever known. Now, he feared that the present composition and organization of what were called parties in this House threatened the independent deliberative powers of the House; that there would be a great loss of independent action and exertion on the part of hon. Members generally, and that in these two respects, the one touching the independence of its composition, and the other the independence of its deliberation and of its action, the House should take thought for its own sake and that of the country. He was not about to follow the two right hon. Gentlemen (Mr. Disraeli and Mr. Gladstone) in their criticisms upon the composition of the Speech from the Throne. In literary composition and in that of Royal Speeches they were *arcades ambo*, nor should he touch upon more than two points—one an omission, and the other an evasion, which characterized the Speech and the treatment of it by those who had preceded him, except the hon. Member for Brighton (Mr. White), who had most properly drawn attention to the omission of all notice of what had occurred in Spain. The Spanish people, following the example of the Neapolitan people, had delivered themselves from the oppressions and disgrace of a Government which was the blind instrument of an Ultramontane priesthood. He (Mr. Newdegate) rejoiced that the Spanish people, though Catholic, had manifested their determination to be free; to enter, as a nation, the ranks of freedom; to gain for themselves the enjoyment of those privileges of freedom and independence as a nation which England had spent millions of money and tens of thousands of the lives of her sons to secure for her. It was a grand effort, and proved that the vitality of Catholic Christianity, with the capacity for freedom which, when pure, that religion confers, still breathes in Spain. But, was it not strange—and he (Mr. Newdegate) was not surprised that the hon. Member for Brighton felt it—that the present Prime Minister (Mr. Gladstone), who had been one of the chief movers for the liberation of Naples, a Member of the Government who introduced a Notice congratulating the Neapolitans upon their emancipation from Ultramontane tyranny into the Speech from the Throne in 1861, should now not admit one cheering word of congratulation and encouragement for the Spanish people into the Royal Speech, of which he must have been the chief composer? From what had the Spanish people delivered themselves? From the agents of the temporal power of the Papacy. What had the Church of Rome lost in Spain? Temporal power. And what was the object of the Papacy everywhere? Temporal power. The Papal hierarchy could not bear the existence of such an exemplar of toleration in religion, of such a source of freedom in Ireland as a Protestant Church, which was devoted to the dissemination of a pure religion, not to the acquisition of temporal power. The contrast was painful to the Ultramontane hierarchy, and it was to gratify them that the Protestant Establishment was sought to be destroyed. This policy was the reverse of that upon which the Spanish nation had entered. On its removal, the obstacle which the Protestant Church presents would be done away with, and the Papal Church would soon be dominant in Ireland. The temporal power of the Pope would gain more representatives from Irish constituencies; the representative force of the temporal power in Ireland must increase, and if the legislative union between England and Ireland was maintained, that temporal power would obtain an increased hold upon that House of Commons, and through the House of Commons over England. It was not surprising that the Prime Minister, who advocated such a policy for the United Kingdom, should omit all notice of what had occurred in Spain from the Royal Speech.

Mr. W. R. ORMSBY GORE, as an Irish Member, could not but express his disappointment at no allusion being made in the Queen's Speech to the reform of the Railway system in Ireland. That subject was one not only of urgent but of paramount importance to that country, and he still clung to the hope that the Government had some intention of bringing in a measure relating to it. He would therefore take the liberty of asking them whether they proposed to reform the present state of the railways of Ireland?

Mr. CORRANCE said, he did not rise to offer any extended observations upon the policy contained in the Address, in which there was, no doubt, much which might excite the curiosity, and even, possibly, the opposition of hon. Gentlemen on his (the Opposition) side of the House. It was at all times a more grateful task to advert to matters upon which both sides could agree. Prominent in the list of good things which were promised by the Government was financial reform. He could not conceive that it would be for the interest or consistent with the policy which he had always advocated, to throw the least impediment in such a path. No doubt the obstacles in it would be numerous enough; and he confessed that he felt the other day a little apprehension lest the grave matter of the mending of the pens for the Civil Service might not, after all, form an obstacle of a formidable class. Her Majesty's Government were the guardians not only of the public purse, but of the public honour; and in pledging themselves to financial reform, he hoped they had duly considered the nature of the task they had undertaken. He was sorry to be obliged to add the expression of his regret that one or two subjects were not mentioned in the Speech from the Throne in which the public took a deep interest. The questions to which he alluded were those relating to pauperism and local taxation, as well as the prevention of the cattle plague, which was a matter of the greatest importance to the agricultural classes. These were subjects which, if properly dealt with, produced no political results. The adjustment of the incidence of local taxation the right hon. Gentleman at the head of the Government had himself admitted to be of the gravest moment, and it was not too much to have expected that it would have found some recognition in Her Majesty's Speech. There certainly was some reference to the better management of the county rates; but that was a different question. Then, again, there was no allusion to the cattle plague. That subject had been inquired into by a Parliamentary Committee, and the question turned on the matter of finance. Extraordinary concessions had been made to Manchester, Salford, and Liverpool, at the instance of two right hon. Gentlemen, and the loss of the Bill was the result. But, as an instance of the speedy repentance of those localities, or of the ingratitude of mankind, those two right hon. Gentlemen lost their seats. He was desirous of referring to those points on that occasion with a view of conveying as much as anything else a warning to the Government with regard to the future; for it must, he thought, be acknowledged that the agricultural community, consisting of landlords, tenants, and labourers, had not had its due share of that enlightened legislation by which the commercial classes had of late years so largely benefited. If such should continue to be the case the result would be that their representatives would take their place in that House as an interest apart, in order that they might the better be able to fight their battles, while the action of the Chambers of Agriculture would, he had no doubt, be found to exercise a potent influence on Parliament. The Government did not seem to him to be sufficiently alive to the importance of those considerations, and he trusted their attention would be more closely directed to subjects with which the interests of the agricultural classes were so intimately associated.

Mr. CHICHESTER FORTESCUE, in reply to the hon. Member for Leitrim (Mr. W. R. Ormsby Gore), said, that if he would repeat the question which he had put to him with respect to Irish railways next week, he would be prepared to answer it.

Mr. MACFIE expressed his satisfaction at finding that the subject of education in Scotland found a place in the Royal Speech. He believed that the measure would have an entirely unsectarian and undenominational character.

Mr. M'MAHON regretted that no mention was made in the Speech of a measure of Reform relating to Ireland, and hoped that steps would be taken to remedy the inequality at present existing between the county and borough representation in that country. In England, at present, the proportion was about two borough Members to each county Member, and he wished to see the same state of things exist in Ireland, instead of their being two county Members to one borough Member.

Sir PATRICK O'BRIEN said, he could well understand that the magnitude of the Irish question was some justification for not mentioning matters of comparatively trivial importance; but he was of opinion that the policy of conciliation which the Government had resolved to carry out towards Ireland would be incomplete if they refused to yield to the strong feeling which existed in that country as to the expediency of allowing bygones to be bygones, and granting, as far as possible, a general political amnesty.

Mr. HADFIELD said, he was glad to hear that Her Majesty's Ministers were about to take steps which he hoped would ensure the loyalty of Ireland, and he would give them his best support. But surely disloyalty was not the highest recommendation to justice. Those whose fidelity to the Reigning Family had never been impeached ought to have their claims to equality considered. Was the Annuity Tax to be retained in Scotland while the Irish Church was disendowed and the Maynooth Grant and the *Regium Donum* were discontinued? Why was not justice done to English Dissenters in the matter of burial grounds? One subject would require the attention of Parliament not only in the interests of one part of the United Kingdom, but of all. He hoped that when the Irish prelates were removed from the Upper House the English prelates would be removed also. They represented only a minority of the people of the United Kingdom. They had supported church rates as long as they could; they had opposed his humble efforts to do justice to Dissenters by abolishing tests and disabilities, and Churchmen themselves were of opinion that great benefit would result to morality and religion in this country by the removal of the Bishops from Parliament. It would be a glorious day for this country when the Bishops were no longer in a situation to dishonour their Christian profession by urging perpetual war on all occasions against political justice and equality to all classes in the country. The reform contemplated in the Irish Church would not stop there. The opinion of the country would be that the House of Lords should be relieved of the presence of men who were not hereditary Peers, but simple life tenants, and who were often aged tutors and schoolmasters.

Motion *agreed to.*

Committee *appointed*, to draw up an Address to be presented to Her Majesty upon the said Resolution :—Mr. HENRY COWPER, Mr. MUNDELLA, Mr. GLADSTONE, Mr. CHANCELLOR OF THE EXCHEQUER, Mr Secretary AUSTIN BRUCE, Mr. Secretary CARDWELL, Mr. CHILDERS, Mr. JOHN BRIGHT, Mr. WILLIAM EDWARD FORSTER, Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL, Mr. GOSCHEN, Mr. OTWAY, Mr. AYRTON, and Mr. GLYN, or any Five of them :— To withdraw immediately :— Queen's Speech *referred.*

House adjourned at a quarter before Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 17th February, 1869.

MINUTES.] — NEW WRIT ISSUED — London City, *v.* Charles Bell, esq., deceased.

PUBLIC BILLS—*Resolutions in Committee*—Contagious Diseases (Animals) Acts.

Ordered — *First Reading* — Contagious Diseases (Animals) Acts [1]; Admiralty Jurisdiction (County Courts).

ENGLISH FISHERIES.

QUESTION.

MR. DODDS said, he would beg to ask the Secretary of State for the Home Department, If he has any objection to lay upon the Table of the House Copy of a Judgment of the Special Commissioners for English Fisheries, delivered on the 10th day of December last at Workington, in the case of Lord Lonsdale's fishing coop in the river Derwent relating to the law of weirs in the non-navigable portions of salmon rivers in England?

MR. BRUCE said, he had no objection to lay upon the table a copy of the judgment of the Special Commissioners of English Fisheries, delivered on the 10th of December last at Workington, in the case of Lord Lonsdale's fishing coop in the Derwent.

CONTAGIOUS DISEASES (ANIMALS) ACTS.

LEAVE. FIRST READING.

LORD ROBERT MONTAGU, in moving for leave to bring in a Bill to amend and perpetuate the Acts relating to Contagious or Infectious Diseases among Cattle and other animals, and for other purposes, said, he understood there would be no opposition offered to the introduction of the Bill, and he would not therefore take up the time of the House by arguing in its favour. When the subject was under discussion last year the present Prime Minister made a suggestion, which seemed to be fraught with wisdom —namely, that any Bill intended to deal with London should also deal with the kingdom generally. He (Lord Robert Montagu) had acted upon that suggestion, and the present Bill was not one of a local or hybrid character, but was a general Bill, the provisions of which were applicable for England and Scotland. Its first provision was to render permanent those Acts upon which the present system rested, and which had been continued from time to time. These Acts would only last for two Sessions longer unless they were made permanent. Under those Acts the Privy Council might appoint certain ports where foreign cattle might be landed; and at those ports certain portions of ground had to be set apart for separate markets; these markets were for the reception of all foreign cattle, which had to be slaughtered before removal. On the other hand, the local authorities, under the Lands Clauses Consolidation Acts, had powers for acquiring land for these separate markets. There were three modes by which they might provide for the expenses: first, out of the ordinary county or borough rates; secondly, by means of tolls or rates on the markets; and thirdly, by borrowing from the Public Works Loan Commissioners at the rate of 3¼ per cent. Under those Acts there was, however, no direct obligation laid on the local authorities for the formation of these separate markets. It was, in fact, optional with a town to cease to import cattle, and not set apart any portion of ground for a separate market. But under the present Bill it would be made obligatory on every local authority proposing to import cattle to set apart permanently such a place for a market. The provisions of the Bill were made permanent, partly because the inconvenience and loss was great, when a large sum of money had to be expended for an ephemeral object, which could not long continue to pay interest on capital. The local authority, according to the existing law, would continue to be, in counties, the Quarter Sessions, and in boroughs the municipal authorities. As regarded the metropolis the City Corporation would be the local authority in the City, but in the metropolitan area the local authority would be the Metropolitan Board of Works. In the Bill, however, the local authority would only be designated by the term "local authority." He did not propose to interfere with the jurisdiction of the local authorities as now existing. The local authority, if they chose, might have two or three or more places, instead of one, for the reception and slaughter of foreign cattle. In Essex, for instance, the Thames Haven and Dagenham Dock Companies might both apply to the local authorities and be sanctioned, or a company might be formed and apply for the sanction of a new locality. The Bill would have very little effect upon the country generally, because at those provincial ports where foreign cattle were now permitted to be landed accommodation had already been provided. Under the previous Acts the local authorities were placed at a great disadvantage in raising money, because the markets to be provided were not permanent; this Bill would relieve them of that disadvantage. Of all places in the kingdom London would be the most affected by the Bill, which, however, would contain advantageous powers for enabling the Corporation to mortgage the funds at their disposal for the market, besides other advantages. The Bill would reserve to the Privy Council their existing powers to permit certain classes of cattle to be imported into the English markets. Last year an application was made to the Privy Council for permission to import cattle from Normandy, Brittany, Spain, and Portugal into our southern ports, and the Bill would not take away from the Privy Council the power of dealing with such applications, but they would of course do so upon their own responsibility. The Privy Council would also retain their present powers of quarantine. They would also be given a power to extend the time for the formation of the markets in large towns from one to three years. The local authorities, on the other hand, would have powers for acquiring land just as they did now under the Local Government Act.

Mr. SELWIN-IBBETSON, in seconding the Motion, said, he believed the proposed measure would be very beneficial. Perhaps the Government might entertain a suggestion he would offer for the redress of a grievance. During the prevalence of the cattle plague in this country an Act was passed providing compensation at a fixed sum, to be paid to those owners of cattle whose beasts had been slaughtered under the orders of the inspectors; and another Act was afterwards passed, providing that compensation should be paid out of the rates. But in the interval between the passing of those two Acts many beasts were slaughtered by order of the inspectors, the owners of which had been unable to obtain any compensation because the compulsory slaughter happened in that interval. The Government might perhaps consider whether a clause should not be introduced into the Bill to meet these claims.

Mr. HEADLAM said, he would not oppose the introduction of the Bill, but, judging it from the description which the noble Lord (Lord Robert Montagu) had given of it, it would be his duty to oppose the Bill on the second reading, and at every subsequent stage. He was not sorry the noble Lord had brought it forward so early, because it was absolutely necessary that the principles on which the importation of foreign cattle was to be regulated should be made clear and plain. He had already presented a Petition on the subject from the town he represented, and he could state that a healthy and vigorous trade in foreign cattle, which was for the benefit of the whole community, and which would have grown every year, had been reduced by the establishment of these separate markets, which had brought it down to one-third of what it was before they were opened. The question was fully discussed at the end of last Session, and the result was that the Bill for the establishment of a separate market for London was withdrawn. After its withdrawal the Privy Council issued an Order placing the importation of sheep under the same regulations as that of cattle with regard to the separate markets, and the result had been that the importation of foreign sheep into Newcastle had been put a stop to, and the trade completely destroyed. This was a grave and serious subject, affecting the welfare of the whole community, and as such it would have to be considered by the House. So far as he could form an opinion of the Bill of the noble Lord, its object was to stereotype a most objectionable system to make it absolute and permanent.

MR. DENT said, he would have preferred to see the Bill in the hands of the Government, rather than in the hands of a private Member, although he had no doubt that the noble Lord who had introduced the measure was better acquainted with the subject than most Members of the House. From the speech of the noble Lord it was not to be gathered that he intended dealing in any way with the diseases of home cattle and the regulations to be imposed upon them; and yet, taking a series of years, the losses to the farmer and consumer from the lung disease and the foot and mouth disease in the home breeds had been quite as large as from the cattle plague. No Bill could be satisfactory to the country which, while it attempted to impose restrictions on foreign cattle, did not deal with the diseases of English cattle; it would not be fair to the consumer, to the importer, nor to the farmer himself. He had entertained great hopes that the Government would have taken up the subject, and he should be very glad to know that it was to be dealt with as a whole.

MR. BRUCE, without offering any opinion on the Bill sketched by the noble Lord, would simply say that the Government would not offer any opposition to its introduction. With respect to the Order in Council in reference to the importation of sheep, made early in the Recess, he was glad to state that the Government were considering whether it might not be rescinded.

SIR JAMES ELPHINSTONE said, the Bill of last year was generally approved, but it failed because of its financial defect. It was absolutely necessary that some restrictions of a permanent character should be placed on the importation of foreign cattle from the eastern countries. The question of the markets had been made a great deal of, but he did not believe that the markets would be very expensive; and he was certain that when the Bill came to be discussed the feeling of the House would be strongly in its favour.

Motion *agreed to.*

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend and perpetuate the Acts relating to Contagious or Infectious Diseases among Cattle and other Animals; and for other purposes.

Resolution *reported:* — Bill *ordered* to be brought in by Lord ROBERT MONTAGU and Mr. SELWIN-IBBETSON.

Bill *presented,* and read the first time. [Bill 1.]

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House, *nominated:*—Colonel FRENCH, Lord ROBERT MONTAGU, Mr. DALGLISH, Mr. ONSLOW, Mr. ADAM, Mr. FITZWILLIAM DICK, Mr. Alderman LAWRENCE, Mr. GOLDNEY, and Captain VIVIAN:—Three to be the quorum.

ADMIRALTY JURISDICTION (COUNTY COURTS) BILL.

On Motion of Mr. NORWOOD, Bill to extend and regulate the Admiralty Jurisdiction of the County Courts, *ordered* to be brought in by Mr. NORWOOD, Mr. HEADLAM, and Mr. CANDLISH.

Bill *presented,* and read the first time. [Bill 2.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Thursday, 18*th February*, 1869.

NEW PEER.

The Earl of Caithness in that part of the United Kingdom of Great Britain and Ireland called Scotland, having been created Baron Barrogill of the United Kingdom—Was (in the usual Manner) introduced.

BANKRUPTCY BILL—PUBLIC BUSINESS.—QUESTION.

Lord CHELMSFORD said, he desired to put a Question to the noble Earl, the Secretary of State for the Colonies. The noble Earl assured their Lordships the other evening that the House would not be without work at the commencement of the Session? Now, he (Lord Chelmsford) wished to ask the noble Earl, Whether it was a fact that the Bankruptcy Bill was to be introduced into the House of Commons? He thought that if there was any subject that more specially belonged to the consideration of their Lordships than another, it was the Bankruptcy Bill. Their Lordships were aware that Session after Session Bills on that subject had been introduced in their Lordships' House; and a Committee of their Lordships had sat to consider the subject. Several of his noble and learned Friends had not only taken part in the discussions on Bills of that description, but they had themselves been the originators of Bills, or had assisted in perfecting clauses in Bills dealing with the subject; and he was quite sure that the subject would have a much more satisfactory discussion if the initiative were taken in that House than it would receive if first introduced in the House of Commons; for, in all probability, their Lordships would not then hear anything of the Bill till the month of July. He wished to ask his noble and learned Friend on the Woolsack, Whether it was true that it was the intention of the Government to introduce the Bankruptcy Bill into the House of Commons?

The LORD CHANCELLOR: It is only within the last few minutes that I received an intimation from my noble and learned Friend that he was about to put this Question to me; but as the matter has been very much considered, I have no difficulty in giving an Answer. It is quite true that Notice has been given of the introduction of a Bankruptcy Bill into the House of Commons, and it will, I believe, be introduced in that House. It is also quite true, as my noble and learned Friend has said, that the question has been considered and re-considered in its various stages at various times. Indeed, I have had three very complicated, but, at the same time, very well arranged, and, in many respects, good Bills on the subject, presented to me for attention. Although there are reasons which have prevented my accepting entirely any of these measures, I have felt bound fully to consider those Bills, the matters treated in which affect so much the interests of a large and important portion of the community. I have also had communications on the subject from various members of Chambers of Commerce, and other persons connected with the trading and mercantile community, as well as from persons acting professionally for such parties, some of them representing towns such as Manchester, Liverpool, and Birmingham, which take a special interest in the matter. I have had, besides, personal communication, and communication by letter with various persons engaged in the commerce of the country; and I have found that though these persons differ in some respects, there seemed to be among them a common desire that a Bill affecting so materially trade and commerce, should be introduced into the House of Commons. Feeling that there was some degree of reason in this wish, I decided to introduce the Bill into the other House first. I thought the best mode would be, under the circumstances, to have the Bill introduced at as early a period as possible in the other House, in order that your Lordships may be afforded an opportunity of fully discussing and considering the subject. This is the Answer I have to give to the noble and learned Lord.

The Marquess of SALISBURY said, he did not think their Lordships would have any reason to complain if the Government did not give them any work, either at the beginning or the end of the Session; but he thought they would have great reason to complain if, after an enforced idleness up to Easter there should be a crush of work towards the end of the summer, which made it absolutely impossible for their Lordships to discharge their legislative functions satisfactorily, or give to the various matters brought before them the attention they deserved. It was a matter of notoriety that for many years this had been the case with the House of Lords:—for months nothing was done in their Lordships' House, but towards the end of June or the beginning of July, just at the time when everybody's strength was exhausted, and the weather was not particularly favourable for laborious investigation, there came up a flood of Bills from the House of Commons, to which it was wholly beyond the physical power of any legislative assembly to give adequate consideration. It seemed to him that that was a state of things which their Lordships ought to take very stringent measures to redress. He hoped the Government would co-operate with them —he should rather say would take the initiative in redressing it, and would do their best to ensure that those measures which they desired that House to consider should be introduced at a sufficiently early period to enable that consideration to be real. He should be very sorry to be thought factious in that House, but he begged to give notice that with regard to Bills brought up at a time when it was not physically possible to give them adequate consideration, be the merits of these Bills what they might, he should interpose every obstacle which the forms of the House allowed to prevent these Bills passing into a law. It was a farce to maintain a legislative body, and then to expect it to perform legislative duties just at the fag-end of the Session. There were some persons in the community who believed that their Lordships' House might be properly abolished; there were others who believed that its constitution might be properly altered; but he ventured to say there was no person in the community who believed it was desirable that the legislative functions of that House should remain a perfect sham, and that their Lordships should be required to register as mere matters of form subjects which had been really considered only in the other House of Parliament. He did earnestly press this question upon the attention of the noble Earl who led the Government in that House (Earl Granville). There was no one in that House who had a more anxious desire than the noble Earl had to maintain the position of the House of Lords, and there was no way in which the noble Earl could give more full effect to that desire than by providing a remedy for this great and pressing evil. He need not say it was not a matter which could be made a reproach against any Government or of any party. It was an evil which had lasted many years. To the great Administration of Sir Robert Peel the complaints dated back; but it was an evil that had now grown to such a height that, unless something were done to redress it, the position and character of their Lordships' House in the community, as a instrument of legislative action, would be irrevocably gone.

EARL GRANVILLE thanked the noble Marquess for the courteous terms in which he had spoken of himself, and assured him that he entirely concurred in all he had said as to the deficiency of early business for this House, and the great accumulation of work towards the end of the Session. He was most anxious to equalize the work which came before their Lordships. The evil was not one of recent growth—it had been a subject of complaint for years; and he remembered hearing Lord Aberdeen state, some fourteen or fifteen years ago, that during the fifty years over which his memory extended the same complaint had annually been made. He (Earl Granville) had endeavoured, and as he had hoped with some success, to bring before their Lordships measures of importance at an early period of the Session; but with regard to two Bills on which he had counted, Notice was given, rather to his surprise, the very first day of the Session, of their introduction into the House of Commons. He assured their Lordships that he would not fail to urge upon his Colleagues the claim which they had a right to make, that business should be provided for them at a time when they had abundant opportunity of transacting it.

EARL GREY said, he believed the extent of the evil now complained of to be greatly due to their Lordships themselves, and perhaps to no one so much as to his noble friend (Earl Granville), who had just addressed the House. Allow him to remind their Lordships of what had taken place a few years ago. Some years since all were agreed that steps should be taken to check the same evil which is now complained of. With this view the House came to a formal Resolution that they would refuse to consider, with a view to legislation in the current Session, any Bill which came up after a certain date, unless it related to Supply, or was of immediate and pressing urgency. That Resolution was adopted with the unanimous assent of the House, his noble Friend (the Chairman of Committees) pointing out, in moving it, that it would do more harm than good unless their Lordships were prepared seriously to enforce it. What, however, happened? Towards the close of the Session, in the month of July, a Bill came up from the other House establishing the principle, as it was called, of Limited Liability. That was a subject of extreme difficulty, requiring the fullest consideration, and it was not at all one of such pressing urgency that it should have been passed without due consideration by their Lordships. To the astonishment, however, of most noble Lords, his noble Friend (Earl Granville), who then occupied the same position that he now filled, gave Notice of a Motion, affirming it to be so pressing, that the Resolution against proceeding with Bills which came up too late for proper consideration should be waived for it and the Bill proceeded with. The noble Chairman of Committees had so strong a feeling in the matter, that he at once announced his determination to oppose the Motion, and he himself (Earl Grey) thought it of so much importance that, though he had left London for the season, and was about 300 miles distant, he thought it his duty to come up to town and support him. At that late period of the summer, however, the attendance of noble Lords unconnected with the Government was small, and their opposition was fruitless. Lord Overstone had a strong objection to the measure, which was discussed for a whole night in Committee, but it was hardly argued, for to all the objections urged by him, by myself, and one or two others, scarcely any answer was vouchsafed on the other side, but they were summarily over-ruled by divisions, in which all our Amendments were defeated by majorities of 30 or 40 to 4 or 5. The result, however, had shown that he and his noble Friend were not very far wrong in regarding this as a hasty and improper mode of legislation. He appealed to noble and learned Lords who possessed judicial experience whether it had not been proved by its working to have been about the most hasty and inconsiderate piece of legislation which ever passed the two Houses, and whether it had not notoriously been the cause of infinite suffering and losses to numerous private families throughout the kingdom, while it had also, he feared, tended very seriously to degrade and lower the whole tone of commercial morality in this country. His noble Friend Lord Redesdale) declared distinctly that he would not again, in another Session, move a Resolution against proceeding with Bills, not of pressing necessity, which reached that House too late in the Session, if this were set aside in favour of a Bill such as that which he had described, to which it ought to have been considered as specially applicable, since it was a measure for making a great and permanent change in our commercial legislation, which, even if it were right, could not be said to be one in the passing of which a year's delay would have been of the slightest importance, while it obviously required the utmost care in examining its details. The consequence had been that for the last thirteen or fourteen years no such Resolution had been proposed. He (Earl Grey) agreed with his noble Friend that it would have been a farce, after his experience of the want of firmness on the part of the House, to submit a similar Resolution, and he only trusted that if the noble Marquess (the Marquess of Salisbury) endeavoured to carry into effect the views he had so justly expressed, he would find the House a little more firm and consistent than on former occasions.

Lord CAIRNS said, recurring to the measure which had been the original cause of this discussion, that he hoped that, nothing having at present been done, the Government would even yet reconsider the course they would adopt with reference to the Bankruptcy Bill. He did not think the noble and learned Lord on the Woolsack, or any other member of the Government, would express an opinion that there was any reasonable probability of the measure—considering its length and the many interesting questions it would raise—passing through the House of Commons before the end of June or the beginning of July. If he remembered right the number of clauses in the Bill of last year was between 200 and 300, almost every one of which was of importance; and at the beginning of July their Lordships would have other measures of great consequence coming up from the House of Commons, and requiring their undivided attention. How, then, could the Bankruptcy Bill, jostled by other important measures, receive the consideration it required? If, on the other hand, it was now introduced, their Lordships were not occupied with any other business, and it might reach the House of Commons at a time when they in turn would be better able than at present to deal with it. He had been struck by what his noble and learned Friend had told them had happened within the last few weeks, and it appeared to him that that statement afforded the best recommendation that the Bill should originate in their Lordships' House. His noble and learned Friend (the Lord Chancellor) had stated that he had received deputations from the mercantile community in various parts of the country who were anxious to express their views on the subject. Now he had had some experience of that process, and he knew how valuable and important it was for the purposes of legislation. While, however, the noble and learned Lord, as a high Officer of the Government, had seen deputations, and knew the minds of the mercantile community on the subject, the Bill would devolve on the other House on one of the Law Officers of the Crown, whose time was fully occupied with other business, who was not a member of the Cabinet, and who, therefore, could not address deputations with the authority and weight of the noble and learned Lord; whereas, if the measure was introduced in this House the noble and learned Lord would be a medium of communication between their Lordships and the mercantile community, since he would come here fresh from hearing the opinions of the trading community. He thought that if the representatives of the mercantile community were aware of the peril the Bill would run of not passing at all if brought first into the other House, they would alter their opinion. He could not help thinking that this preference for the House of Commons was the more to be wondered at when they remembered that a Committee of their Lordships' House had sat on the whole question, and that the measure to be introduced was nothing more than an affirmation of the propositions to which that Committee had given their assent.

EARL RUSSELL said, it was of great importance that they should arrive at a clear understanding how it was that measures came up so late to their Lordships' House. It was obvious that many Bills were first brought forward in the House of Commons, and were there passed by decided majorities, which it was not likely would ever have been originated in their Lordships' House, but to which their Lordships would naturally, from that circumstance, pay far greater regard. Measures also affecting taxation necessarily came first before the other House. There were, however, questions of a legal or ecclesiastical character, and questions affecting our relations with foreign countries, which, owing to the presence of noble and learned Lords who had occupied the Woolsack, of Prelates of the Church, and of noble Lords who had held the Seals of the Foreign Office, might advantageously be debated in this House. With regard to important Bills coming up in July, he recollected that measures of the highest importance, such as the Roman Catholic Relief Bill, the Repeal of the Corn Laws, and some others, came before their Lordships in April or May, allowing ample time for discussion. With regard to the future conduct of business, he would venture to throw out a suggestion. At one period the Estimates were voted up to the 1st of January; but this was afterwards changed to the 31st of March. Now that alteration had necessitated the consideration of the Estimates, which often led to long discussions, but of course did not result in any measures being sent up to their Lordships, between the meeting of Parliament, which was generally early in February, and the 31st of March. He would suggest to the Government the propriety of extending the Estimates to the 30th of June, by which means the House of Commons would have all the time up to the end of April for discussing measures intended to be sent up to their Lordships. It was, he thought, desirable that measures of great importance should have the assent of the House of

Commons previous to their being discussed by their Lordships. The enlargement of the constituencies might, perhaps, result in an increase of talk in the House of Commons, and, unless there was an alteration in the financial arrangements, measures would not come up, as they did formerly, at the beginning of May, but as late as the middle or end of July. He did not think that any inconvenience would result from such an alteration, whilst it would facilitate the discussion of other matters of importance in both Houses of Parliament.

Lord WESTBURY said, he would earnestly recommend the Government to confine the Bankruptcy Bill to the two points mentioned in Her Majesty's Speech—the more effective distribution of assets and the abolition of imprisonment for debt. If they attempted to introduce what he would term a "monster" Bill, it would stand a great chance of not receiving sufficient consideration, and this important subject would have to be postponed to another Session. He quite concurred in the opinion that the measure should first receive the consideration of their Lordships, and a Select Committee might receive the suggestions of the mercantile bodies. He foresaw so much difficulty in the way of a Consolidation Bill first introduced into the other House that, though from bitter experience he had little confidence in this House at large in dealing with bankruptcy, he should himself bring in a Bill, limited to the two crying evils he had mentioned, in order that it might be fully considered before they could hope to receive a lengthy Bill from the House of Commons. With regard to the general complaint that had been made, he thought it was much to be regretted that almost all important measures were first carried through the House of Commons.

Earl GRANVILLE reminded their Lordships that one of the recommendations of the Select Committee of last Session was that Questions which would lead to discussion should not be put without Notice. The Question of the noble and learned Lord (Lord Chelmsford) was one perfectly legitimate, but the House had been led from it into a debate which, though important and interesting, would have been still more so had Notice of it been given. He hoped, therefore, the rule would in future be adhered to.

Earl Russell

THE QUEEN'S SPEECH.

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Earl GRANVILLE: I beg to move that the Address adopted by this House, in reply to Her Majesty's most gracious Speech, be presented by the Whole House. In making that Motion, I may state that the Queen felt great regret at being prevented from opening her New Parliament in Person. If, however, Her Majesty had done so, it would have been against the express opinion of Her medical advisers. No Parliament during Her Majesty's reign has been chosen by so large and free an expression of the will of Her loyal People as the present. Your Lordships' will therefore easily understand and appreciate the desire of Her Majesty under these circumstances to meet your Lordships and the representatives of the People forming the other branch of the Legislature. I am authorized to say that it is Her Majesty's gracious intention to come to town for this especial purpose, if the Motion which I have made, and which has already been unanimously agreed to by the House of Commons, is adopted, as I have no doubt it will be, by your Lordships.

Lord CAIRNS: I am sure your Lordships will have heard with pleasure the communication which has been made by the noble Earl, both because the Motion which he has made will afford your Lordships an opportunity of personally laying at the foot of the Throne the loyal Address to which you have agreed, and also because the communication furnishes fresh proof, if proof were needed, of the anxious solicitude entertained by Her Majesty to perform Her high public functions in a manner most gracious and gratifying to Her loyal subjects.

Motion *agreed to.*

Ordered, That the Address to Her Majesty agreed to on Tuesday last be presented to Her Majesty by the Whole House: *Ordered*, That the Lords with White Staves do wait upon Her Majesty to know at what time Her Majesty will be graciously pleased to appoint to be attended with the said Address.

House adjourned at a quarter before Six o'clock 'till To-morrow a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 18*th February*, 1869.

MINUTES.]—NEW WRIT ISSUED—New Radnor, *v.* Richard Green Price, esq., Chiltern Hundreds.

SELECT COMMITTEE — Printing, *appointed* and *nominated.*

PUBLIC BILLS—*Ordered—First Reading*—Hypothec Abolition (Scotland) [4]; Sunday Trading * [5]; Endowed Schools [3]; Party Processions (Ireland) [6].

PRIVATE BUSINESS.—RAILWAY BILLS.

RESOLUTIONS.

MR. DODSON rose to ask the House to agree to certain Resolutions of which he had given Notice. They had simply for their object to supplement, facilitate, and carry out the 35th section of the Railway Regulations Act of last Session, which provided that, in cases where Bills were promoted by Railway Companies, a meeting of the shareholders, under certain conditions, should be held between the first and second reading of the Bills; and that they should not be read a second time unless the House was satisfied the meetings were held in due form according to the Act. What he now proposed was that the Examiners of Private Bills should ascertain and inform the House whether the meeting of the shareholders had been held. In order to give time for the meeting of the shareholders to be held, and for the Examiners to inquire and make their Report, it would be necessary, in the case of a Bill coming under the operation of the Act, to extend the time allowed by the Standing Orders between the first and second reading of the Bill from seven to fourteen days. He proposed to supplement these Resolutions by another to the effect that, in cases where a poll at a meeting had been taken, the requisite documents should be deposited in the Private Bill Office. The hon. Gentleman concluded by moving his Resolutions.

MR. HADFIELD complained that the Standing Orders of the House of Commons did not permit of a shareholder being heard before a Committee, while in the Lords shareholders were permitted to appear. He know one case in which shareholders, by availing themselves of the Lords' practice, prevented the issue of £1,800,000 in pre-preference shares. He thought the practice of the two Houses ought to be assimilated.

MR. DODSON said, that the point referred to by the hon. Gentleman was not a new one; still it might be worthy of consideration at a proper time; but as the Resolutions now before the House applied to the practice of Examiners and not to that of Committees, it would be out of order to discuss it at present.

Motion *agreed to.*

Ordered, That every Railway Bill promoted by an Incorporated Company and originating in this House shall, after having been read a first time, be referred to the Examiner of Petitions for Private Bills, who shall inquire and report as to compliance with the provisions of the Act 31 and 32 Vic. c. 119, s. 35.

Ordered, That the Examiner shall give at least two clear days' notice in the Private Bill Office of the day appointed for such examination, and Standing Orders 76, 77, and 220, shall be applicable to any Memorials complaining of non-compliance with such Provisions.

Ordered, That in the case of such Bills the time limited by Standing Order 191 between the first and second reading shall be extended to, but shall in no case exceed, fourteen days.

Ordered, That the Statement required by the fifth provision of the said 35th section to be laid before Parliament, in case of a poll being taken, shall be deposited in the Private Bill Office.—(*Mr. Dodson.*)

THE QUEEN'S SPEECH.

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Report of Address *brought up,* and read.

MR. GLADSTONE: Sir, I rise for the purpose of proposing a Motion, which I hope and feel convinced will not be unacceptable to the House. It is that the Address to which we have just agreed be presented to Her Majesty by the Whole House. It was a matter of serious concern to Her Majesty that she was precluded from meeting the two Houses—and particularly the House of Commons, chosen under circumstances of such peculiar and special interest—by the ancient method of opening the Session of Parliament in State. But Her Majesty had been suffering more than usual from severe headache, and to a degree which precluded her from making the necessary exertion at the period when the opening of Parliament occurred in the present year. There is another circumstance I will add, and which I think it is desirable the House should be made aware of. It is that at all periods of the life of Her Majesty—at the periods both of its unclouded happiness and her unimpaired strength—this particular effort, with the lengthened ceremony it entailed, did always tax the powers of Her Majesty to the very utmost, although it is a ceremonial which she was and is always desirous to perform at the times when she can venture to undertake it. But there is another mode by which a great portion of the desire of Her Majesty may be attained—that is to say, that she may have the satisfaction of meeting Parliament and of meeting the House of Commons by receiving the Addresses of Parliament in person, should the House enter into her views. My belief is that the House will receive this intimation as another gratifying proof, if indeed proof were wanted, of Her Majesty's great sympathy with Her People in all matters that concern their interests, and especially upon an occasion when a great and important measure for reforming the representation of the people and so largely extending the franchise has, for the first time, come into operation. I am, therefore, to state that Her Majesty will be pleased to come to London for the purpose of receiving the Addresses of both Houses of Parliament, in case the Motion I am about to make that the Address be presented to Her Majesty by the Whole House, shall be agreed to both in this and in the other House of Parliament. It is right that in making this Motion I should advert to the course that has been adopted in presenting former Addresses. It has been the practice when the Speech has been delivered by Royal Commission that the Address in reply has not been usually received by Her Majesty in person; but there was an occasion in the reign of George III., when it happened that the Sovereign was prevented by a domestic sorrow in the death of the Duke of Glocester, and by his failing health, from coming to Parliament for the purpose of solemnly and formally opening the Session, and when, at the same time, it happened there was a public and national occasion of satisfaction, which the House desired to testify at the foot of the Throne by presenting the Address in person. The analogy between that occasion and the present appears to me to be complete, so far as the substance is concerned. The difference is, that at that period the occasion of joy and pleasure was the gaining of a victory by the arms of England at the Battle of Trafalgar—the occasion now is the celebration of a great and peaceful triumph in the passing of a measure which very largely extends the liberty of the people. As on that occasion the two Houses attended the Sovereign with their Addresses and with their congratulations, so it appears to me that now—especially when Her Majesty has been pleased in Her gracious Speech from the Throne to mark her peculiar satisfaction in the passing of this Act as an occasion of joy and advantage to the public—the House, on its part, will be glad to answer, not with mere words, that expression of satisfaction, but by an act which it will be in their power to perform, by proceeding, headed by you, Sir, and with the attendance of such Members as may choose to constitute a House or may be able to attend, to the Palace, to which Her Majesty will readily come, at a suitable period, from Windsor, for the purpose of receiving the loyal and dutiful Address of Parliament. One word more. I ought to say that no doubt it will be a matter for the consideration of the authorities of the House whether, as the practice has been to attend the Sovereign in person only upon occasions when there was a special cause for the Speech being delivered by Commission, it will be proper or necessary to mark the occasion by some suitable entry in the Journals. That, however, is for the consideration of the authorities, and it is not a matter for me to decide. In these few words I have to move "That the said Address be presented to Her Majesty by the Whole House."

Mr. DISRAELI: I should be willing that a Motion of this kind should pass without notice, but as the course proposed is an unusual one for the House to adopt, it is better that it should be adopted in a manner which should not lead in the future to misconception and mistake. I am sure the House most sincerely regrets that the state of Her Majesty's health deprived Her Majesty of the gratification she would have felt in meeting the New Parliament, in the peculiar circumstances under which we were chosen. Although I acknowledge that we ought to assent to the proposal of the right hon. Gentleman, being an unusual one, with some caution, I hold it so important and so desirable that some personal relations should be established between Her Majesty and the New Parliament that has been elected, that I think the proposal of the right hon. Gentleman is a wise and judicious one. We shall take a course gratifying to Her Majesty and gratifying to this House, while at the same time it will be adopted, I doubt not, with those precautions which the right hon. Gentleman has hinted at, so that for the future it will be referred to as a course adopted by the House under peculiar circumstances, and not as a ceremonial which is to be followed by the House as the ordinary course, when the peculiar and interesting circumstances which have induced Her Majesty graciously to give us this intimation do not exist.

SIR LAWRENCE PALK expressed his regret that the right hon. Gentleman the Prime Minister had not given notice of the Motion, so that the House might have had an opportunity of considering its terms. He should not, however, have risen if it had not been for an observation that fell from the right hon. Gentleman, to the effect that on a former occasion, when a similar course was pursued, it was for the purpose of offering the congratulations of the House on a great victory having been achieved by the British arms, while the House was at present asked to congratulate Her Majesty on a great political triumph. His object in then addressing the House was to protest against any course being adopted upon the present occasion which would give any colour to the conclusion that the House congratulated the Queen or the country on any political triumph that might or might not have been obtained. That was a question which would be brought under the consideration of the House before long, and it would then be time enough to congratulate the Ministry, or the Crown, or the country on the results of the recent change in our electoral system.

Address *agreed to*:—

To be presented by the Whole House:—Privy Councillors humbly to know Her Majesty's pleasure when She will be attended.

SCOTLAND—PORTPATRICK HARBOUR AND LIGHTHOUSE.—QUESTION.

LORD GARLIES said, he would beg to ask the President of the Board of Trade, Whether it is intended to discontinue the light in Portpatrick Lighthouse; and, if such change be intended, to state the reasons for its discontinuance?

MR. BRIGHT: The noble Lord, I presume, is aware that it is intended on the part of the Treasury and the Government to discontinue the harbour of Portpatrick, and that measures have been taken with that view. What is to be done is not absolutely decided upon, because negotiations are now on foot with the Commissioners of Supply, the local authority of the district, with a view to their taking the harbour under their care if they should think fit to do so. If, however, the harbour should be discontinued, the light will not be maintained, because it is believed that it is of no value to passing ships, and is only useful as long as the harbour is continued. Of course, if it can be shown that it is useful, some arrangement may be made; but at present the information before the Board of Trade is that the harbour will not be necessary in future, and if the harbour be discontinued the light will not be maintained.

THE ABYSSINIAN EXPEDITION.

QUESTION.

MR. FAWCETT said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is true that India advanced £6,589,100 towards the expenses of the Abyssinian War; whether of this amount £3,089,100 is still due by England to India; whether it is true that India had to borrow a portion of the amount thus advanced from the Bank of Bengal; and, if so, whether Her Majesty's Government intend that England or India should pay the interest due upon this loan?

THE CHANCELLOR OF THE EXCHEQUER said: On the 17th of December last the Government of India telegraphed to us that they had expended for the purposes of the Abyssinian Expedition, on behalf of Her Majesty's Government, the sum of £7,000,000. Since that time I have had no official communication whatever from the Government of India, and am, therefore, unable to say what have been the financial proceedings of the Government of India, or to answer that portion of the hon. Gentleman's Question which relates to the Bank of Bengal. The sum already paid to India on account of the expedition was £4,000,000.

POOR LAW (IRELAND).—QUESTION.

Mr. M'MAHON said, he would beg to ask the Chief Secretary for Ireland, Whether it is his intention to introduce, during this Session, a Bill to assimilate the Poor Law of Ireland to that of England, by enlarging the area of rating from parishes or electoral districts to unions?

Mr. CHICHESTER FORTESCUE replied, that the Government had no intention of legislating on the question during the present Session. It was a matter of great importance, and one that would require a great deal of consideration before the Government could come to any conclusion on the subject.

RETURNS.—QUESTION.

Colonel SYKES said, he would beg to ask the Under Secretary of State for the Colonies, Why a Return, ordered by the House on the 11th of May last, has not been sent in?

Mr. MONSELL replied, that the Return, which would embrace a vast variety of details, was being prepared with great care, and would shortly be ready. He might add that similar information would for the future be supplied at the beginning of every year.

IMPRISONMENT FOR DEBT—ARREST OF A YOUNG GIRL.—QUESTION.

Sir GEORGE JENKINSON said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a letter in *The Times* Newspaper, signed W. Williams, and dated 19, Broad Street, Bloomsbury, in which it is stated that a girl under fourteen years of age has been taken away from the Girls' Refuge at Ealing by the Sheriff's Officers for a supposed debt of £53 11*s.* 2*d.*, and conveyed to Whitecross Prison; and, whether there was any truth in the alleged statement? He would further ask whether the right hon. Gentlemen was prepared, in case the story were true, to take any, and if so, what, steps in relation to the matter?

The Chancellor of the Exchequer

Mr. BRUCE replied, that his attention had only been called to the statement by reading that morning the Question placed on the Paper by the hon. Baronet. Since that time he had made all the inquiries which were possible, and had ascertained that not only was one young girl of thirteen taken by the Sheriff's officers to Whitecross Prison, but that two sisters, aged fourteen and seventeen, were imprisoned at the same time for costs incurred in an action at law. It was supposed that the committals had been made by a Judge under some mistake. He had given instructions that further inquiries should be made, and if the hon. Baronet would repeat his Question on another day he hoped to be able to give him a fuller and more complete Answer.

FUNDS OF TRADES UNIONS.
QUESTION.

Mr. GOURLEY said, he would beg to ask the Secretary of State for the Home Department, If it be his intention to bring in a Bill for the purpose of legalizing the Funds of Trade Unionists?

Mr. BRUCE said, he had been informed that the Act passed during the last Session, and introduced to the House by the right hon. and learned Gentleman the Member for Southampton (Mr. Russell Gurney), did effect the object of legalizing the funds of trades unions. That was, however, but a temporary measure, and whatever else remained to be done would be done when the Report of the Trades Union Commission was presented, and when the Government had time to take that Report into their consideration.

Mr. HADFIELD asked, When the Report was likely to be presented?

Mr. BRUCE said, it would be presented in a very short time; but he could not say whether it would be in a few days or weeks.

HYPOTHEC ABOLITION (SCOTLAND) BILL.—LEAVE.—FIRST READING.

Mr. CARNEGIE, in moving for leave to bring in a Bill for the abolition of the Landlord's right of Hypothec in Scotland, said, the measure was identical with that which he had introduced two years ago, and which had then been fully considered by the House. He had included in the Bill the rights of landlords in urban as well as in agricultural districts, and the House would consider in Committee whether they would adopt that proposal. He might mention that, finding it would suit the convenience of Scotch Members that the second reading should be taken in May, he would postpone the further consideration of the measure till that month.

MR. DYCE NICOL, in seconding the Motion, thanked the hon. Member for Forfarshire (Mr. Carnegie) for bringing forward thus early a Bill on a subject which has caused so much unsatisfactory feeling in Scotland, and which the legislation of 1867 has failed to diminish. He expressed a hope that in the proposed Bill the hon. Member would avoid connecting urban with agricultural hypothec, which was the chief cause of the failure of his former Bill on this subject. If the occupiers of house property are aggrieved by the law as it now stands, let them agitate for its total abolition, but until such was the case, he hoped that the hon. Member would limit his Bill to that form of protection which was considered by a large majority of the agricultural and commercial classes in Scotland so objectionable and so opposed to their interests.

Motion *agreed to.*

Bill for the abolition of the Landlord's right of Hypothec in Scotland, *ordered* to be brought in by Mr. CARNEGIE, Mr. FORDYCE, and Mr. CRAUFURD.

Bill *presented*, and read the first time. [Bill 4.]

ENDOWED SCHOOLS BILL.—LEAVE.

FIRST READING.

MR. W. E. FORSTER, in rising to move for leave to introduce a Bill to amend the Law relating to Endowed Schools and other Educational Endowments in England, and otherwise to provide for the advancement of Education, said, he did not intend to detain the House long now, but perhaps he might be allowed, in a future stage of the Bill, to enter into the matter more fully. The public had been prepared for a measure of this description by the Report of the Schools Inquiry Commission, of which he had happened to be a member. He could not, therefore, speak of its labours; but, as one of its members, he wished to be considered responsible for the whole of their Report. It was a Commission composed of gentlemen of different political and religious opinions, who had been fortunate enough to present an entirely unanimous Report. Two of the Members of that Commission, the noble Lord the Member for King's Lynn and the right hon. Baronet (Sir Stafford Northcote) among them, were unable to remain to the end in consequence of their having accepted high Office; but the fact that they resigned their seats on the Commission by no means implied that they objected to the Report—indeed, he believed that if they had remained, they would have assented with the rest. The object of the Commission was to inquire into the condition of all Endowed Schools in England and Wales which had not been inquired into by two previous Commissions, the one presided over by the Duke of Newcastle to consider assisted schools, elementary schools assisted by Votes of Parliament; and the other presided over by the Earl of Clarendon, which was appointed to inquire into nine special public schools. A measure based upon the Report of the Public Schools Commission had been passed last year through the instrumentality of his right hon. Friend the Member for the University of Cambridge (Mr. Walpole); and the Bill which he now asked leave to introduce, carried out to a great extent in some respects, and in others almost entirely, the recommendations of the Schools Inquiry Commission. The principal object of the Bill was to reform the organization of the Endowed Schools of England and Wales. But there was one important difference between the Bill and the Report of the Commission. The Report recommended not merely that the Endowed Schools should be put on an improved footing, but that a power should be taken of inspecting, and he might say of managing, them; not merely that there should be power given to make fresh trusts, but that there should be power given to see that the trustees did their duty. The Commissioners had proposed the creation of provincial Boards throughout the country, under the control of a central authority, for this purpose. He was still of the opinion, as he was when he sat on the Commission, that very much might be said in favour of this machinery; but on full consideration the Government had come to the conclusion of not recommending the House to adopt that machinery at present, and, while taking power for the immediate reform and re-organization of Endowed Schools, they did not take any power for their inspection and management beyond the power which was at present in the hands of the Charity Commissioners. Therefore, so far as regarded the re-organization of the schools, they proposed that the Bill should be a temporary Bill. They asked for power for three or four years, to make fresh trust-deeds for Endowed Schools, which should, after approval by Government, be laid before Parliament, but should not become law if objected to by either House of Parliament. But they had seen no difficulty in providing a permanent plan for the examination of schools and for giving certificates of competence to schoolmasters, and in this they had followed the recommendations of the Commissioners. The Commissioners recommended an Examining Council, which would consist of twelve members, and as it was thought there would be more confidence in this body if it were not nominated entirely by Government, six of the members would be appointed by the Universities of Cambridge, Oxford, and London, and six by the Crown. This Council would have power to examine the scholars in all Endowed Schools, and to give certificates to schoolmasters based upon their own examination, or to endorse the certificates given by other bodies; it was also proposed by the Bill that all future masters should be obliged to hold these certificates; but existing schoolmasters would, of course, be held competent to teach without them. The Commissioners also desired to bring about some examination of private schools as well as of Endowed Secular Schools; and the Government felt it would not be doing its duty if it did not provide some means for improving secondary education generally. The Government was naturally very anxious to avoid any interference with the right of private schoolmasters; but felt it would be nothing less than a boon to private schoolmasters to offer them the same examination as was made compulsory in the case of masters of Endowed Schools, provided they fulfilled the same conditions as were fulfilled by the Endowed Schools. The Bill also proposed to open exhibitions under certain conditions for the scholars in private schools. It was perhaps unnecessary further to detain the House by describing the measure at greater length, as it would be in the hands of Members probably to-morrow afternoon, but certainly by Saturday morning. He pleaded for speedy legislation on the subject, because the inquiries which had been made had given the impression that some change was impending, and the variety of interests concerned, including that of the parents, demanded the immediate attention of Parliament. He, therefore, proposed to ask for a second reading on Thursday next, that the progress of the Bill might not be stopped by more urgent Business. Ample time, however, would be given for the consideration of questions raised on the second reading before the House was asked to go into Committee on the measure.

SIR STAFFORD NORTHCOTE asked what authority would draw up the new trust deeds?

MR. W. E. FORSTER said, the Bill provided for the appointment of a small Commission, which would prepare the schemes and give notice to all the parties interested, and, after the schemes were settled, would submit them to the Educational Department of the Privy Council, and the Department would, on its own responsibility, after approval, lay them before Parliament. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. GATHORNE HARDY said, he did not mean to offer any opposition to the Motion for the introduction of the Bill. He believed, indeed, that, after the Report of the Commissioners, it would be idle for any one to attempt to place himself in antagonism to such a proposal. But he did not think they should make good speed by having recourse to the great haste which the right hon. Gentleman recommended. When it was proposed to deal with interests so complicated as those involved, extending as they did to every parish throughout the country, he thought a week hardly sufficient to consider the measure. He should therefore suggest to the right hon. Gentleman that the second reading should be postponed until that day fortnight.

LORD HENLEY said, he hoped the second reading would not be pushed on so rapidly, because all Members who were managers of Endowed Schools would like to see their co-managers, and hear their opinions of the measure before it was read a second time. He wished to know whether, according to the right hon. Gentleman's scheme, if an Endowed School was already under the inspection of Government, it was intended to take it away and place it under the inspection of the Council it was proposed to establish; and, secondly, whether the Council would be able to make grants such as the Government Inspector now made?

Mr. HADFIELD, while ready to give his hearty support to the Bill, and most anxious that it should have the fullest possible consideration, suggested that Her Majesty's Government would do well to make a division of labour between the House of Commons and the House of Lords, by introducing a larger number of non-political and party measures like this Bill of the right hon. Gentleman and the Bill for the reform of the Law of Bankruptcy in the other House, where there were many noble and learned Lords who would devote an amount of attention to them that could not be given in the House of Commons. Unless some arrangement of that kind was made it would be quite impossible for the House of Commons to give the proper time and consideration to the important measures which the Government had taken in hand.

Lord ROBERT MONTAGU added his protest to that of other hon. Members against the course which it was proposed to adopt with respect to this Bill. It was of great magnitude and importance, and if it were to have any effect at all it would determine the character, and therefore the future history, of the people of this country. ["Oh, oh!"] Well, what was the object of the Bill if it was not to improve, or to alter the character of the people? What was the meaning of it, if not to improve and extend education throughout the country; and what was education, but a raising of the character and enlarging of the mental capacities? The Bill would thus affect the whole country, and yet it was attempted to hurry it through for weal or woe, with not more than a week's consideration; although in the case of measures of much smaller importance, and which only partially affected the country, time was always demanded and freely given for their consideration. He protested against such a hurry. This was a most complex and difficult measure, and yet only a few of its points had been explained by the right hon. Gentleman. He had argued that the proposed scheme was only to be transitory, and that, therefore, it would be not injurious to arrive at a hasty conclusion upon it. The same argument might, with equal force, have been applied to the Bribery Bill of last year. That measure was only passed for a few years, and yet the House took much time to consider and debate its provisions. Besides, though the Bill be transitory, its effects would be permanent, and would spread through the whole country from north to south. They ought to be very cautious therefore how they passed the Bill, for once passed it would cause weal or woe, and its results could not be recalled. The right hon. Gentleman said that the principle of his measure was merely that something must be done, and that this had already been affirmed by the Public Schools Bill. Certainly it might be said that the principle had been conceded, if the only principle of the Schools Bill was that grammar schools required some reform. But the right hon. Gentleman proposed to do much more than ever had been conceded. He proposed to erect a Council, to have a body of Examiners, and to issue a paid Commission, which was to roam over the whole country and visit every school, and prepare and impose large schemes of reform. Besides all this there were many details connected with the measure which had not been explained, but which the right hon. Gentleman had promised to explain in a long speech on the second reading. These details might very seriously affect the character of education; yet they could pronounce no opinion upon them for lack of information as to their character. He maintained that every facility should be given to the trustees of these schools to consider what was to be done before any action was taken. It was not the custom of Parliament to meddle with any interests, however small, without giving ample opportunity to all who were to be affected to express their opinions upon the subject. And yet what was the right hon. Gentleman going to do in this, which was one of the most important of all cases? Why, he was going to organize grammar schools throughout the country. What did that mean? It meant that grammar schools belonging to the first grade might be turned into schools of the second or third grade, or *vice versâ*. It meant further that these same schools might be removed out of the boroughs in which they were situated, and placed in the counties. He had no doubt that all this would be done by the paid Commission which was to be issued. Upon these subjects the trustees might have something to say. What was to be the size or the expense of that Commission were points upon which they had no information. He must beg, therefore, a little longer time from the right hon. Gentleman—a fortnight at least. There was one other point worthy of consideration. His right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) had said, the other night, he thought it a great pity that a general scheme of education had not been brought in. In that opinion he entirely agreed. The education of boys was essentially the same, in whatever grade of life the boys might happen to be born. These grades were merely an arbitrary classification, very useful no doubt for explaining the views of the Commissioners, but there was no reality in them, and therefore nothing could be built upon them. What were those grades? The Commissioners explained them in this way,—they put those boys in the first grade who left school between the ages of sixteen and eighteen, boys in the second grade who left school between fourteen and sixteen, and those who were taken away between twelve and fourteen in the third grade. But he did not see why a boy who did not leave school until a month after sixteen should be in a different grade from one who left it a month before, or if the grades were anything, they might just as well be extended downwards throughout the education of the poor. Some boys were taken away at twelve, in order to go to labour; some as early as six or seven, and thus the question was exactly the same whether it was secondary or elementary education. These grades were merely another name for that which had always been spoken of as the effect of "labour claims." He did not see why the Government should attempt to deal with secondary education on a different principle from elementary education. But, however that might be, he would not urge these considerations in a carping spirit, but he would urge on the right hon. Gentleman that he should not take the second reading of the Bill that night week, but should give at least a fortnight before proceeding further with the measure.

Lord Robert Montagu

Mr. BERESFORD HOPE said, he did not wish to travel into the details of the Bill, but he also desired to enter his protest against proceeding so quickly with it. An appeal for delay had been made on behalf of the school trustees—a large body of men of very various social habits and difficult to bring together—but there was another class of men who would perhaps be even more vitally affected by the measure, and that was the schoolmasters, many of whom were gentlemen and men of high education, graduates of the Universities. He would like to appeal on their behalf. He thought it very unfair that a body of men like the schoolmasters of these Endowed Schools should not have ample time given them to consider the Bill and confer with the trustees, and then communicate with such Members of this House as they had a right to look to to watch their interests. Any alteration in the system of Endowed Schools would deal with the interests of both these classes, not to speak of that their greatest class the interests of the people at large, and therefore they should be given ample opportunity to consider what was proposed to be done.

Mr. WALTER ventured to add his protest to those already expressed by hon. Members, and to request his right hon. Friend (Mr. W. E. Forster) to give them more time to look into that subject before the second reading of the Bill. He did so on a ground which had not yet been urged. There were a great number of new Members in that House—about 200, he believed—and of those Gentlemen probably a large proportion had not had time to read the Report of the Commission of which his right hon. Friend was a member. On the principle of "the more haste, the less speed," it was very important that Gentlemen who took an interest in education should approach that subject with some considerable knowledge of its bearings. In order to do that, it was very necessary that they should have read the Report, which, with the accompanying volumes of evidence, formed a very bulky series of works. It would be as well for hon. Gentlemen who had seen the Report to look over it again and refresh their memories; but to do that in a week was more than was possible. He had not a word now to say against the Bill, for he had not the smallest idea of what its provisions might be; but this they knew, that there was to be the element of compulsion in it, and the mere use of that expression rendered him very anxious to make himself pretty well acquainted with the merits of the subject before they went to the second reading. His right hon. Friend proposed to bring a considerable amount of compulsion to bear both upon the scholars and the teachers of these institutions. That might be very necessary; but, undoubtedly, it was a very important alteration in our scholastic system, and it formed a sufficient reason why a fortnight should be given them to look over the volumes to which he had referred, in order that they might come to the discussion of the question with some accurate knowledge of its details.

MR. NEVILLE-GRENVILLE suggested whether some of the inconveniences that had been alluded to might not be obviated if the Government were to send down a copy of the Bill to the head masters and trustees of these schools.

MR. W. E. FORSTER, in answer to his noble Friend (Lord Henley), explained that it was simply proposed that there should be an examination of the scholars and also of the masters for a certificate of fitness. It was not proposed to extend the operation of the Bill to any Endowed School which was at present in receipt of any assistance from the money annually voted by Parliament. With regard to the representation made to him by hon. Gentlemen on both sides that he ought not to attempt to take the second reading so early as next week, after conference with his right hon. Friend (Mr. H. A. Bruce) he wished to yield to that representation. He hardly did so, however, on the ground given by the noble Lord opposite (Lord Robert Montagu), who seemed to suppose the Bill would have a greater effect than he himself ventured to expect from it. The noble Lord said it was "to improve the character of the people," a work which, even if begun next week, would not be disadvantageous. But it was exceedingly to be regretted if the persons likely to be affected by the measure—and he hoped beneficially affected—should imagine that there was any attempt to carry it through suddenly and without due consideration. In moving an early day for the second reading, he had done so with the full intention that ample time should be given before the next stage was taken, and it would really be convenient to all interested to allow that course to be taken, on the understanding that the House might consider its views before the Bill went into Committee. He wished, however, to yield to the desire of hon. Gentlemen present, and he hoped the hon. Member for Berkshire (Mr. Walter) would induce all his friends to study the Report of the Commissioners, though it was to be feared even the time he had mentioned would not be sufficient to read all the twelve volumes. With the permission of the House he would put the second reading for Monday, the 8th of March.

Motion *agreed to.*

Bill to amend the Law relating to Endowed Schools and other Educational Endowments in England, and otherwise to provide for the advancement of Education, *ordered* to be brought in by Mr. WILLIAM EDWARD FORSTER and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 3.]

PARTY PROCESSIONS (IRELAND) BILL.

LEAVE. FIRST READING.

MR. W. JOHNSTON, in moving for leave to bring in a Bill "to repeal an Act, intituled 'An Act to restrain Party Processions in Ireland,'" said, he hoped the House would extend to him the usual courtesy, and allow the Bill to be introduced and read the first time. He trusted that, on the second reading, he would be able to lay such reasons before the House as would induce it to concur in the repeal of that Act, believing, as he did, that its repeal would be in accordance with justice and equity, and calculated to promote the prosperity, welfare, and peace of Ireland. The hon. Gentleman concluded by moving for leave to bring in the Bill.

THE O'DONOGHUE seconded the Motion.

Motion *agreed to.*

Bill to repeal an Act intituled "An Act to restrain Party Processions in Ireland," *ordered* to be brought in by Mr. WILLIAM JOHNSTON and The O'DONOGHUE.

Bill *presented,* and read the first time. [Bill 6.]

SUNDAY TRADING BILL.

On Motion of Mr. Thomas Hughes, Bill to amend the Law relating to selling and hawking Goods on Sunday, *ordered* to be brought in by Mr. Thomas Hughes and Lord Claud Hamilton.

Bill *presented*, and read the first time. [Bill 5.]

PRINTING.

Select Committee *appointed*, "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. Bonham-Carter, Sir John Pakington, Mr. Walpole, Mr. Henley, Mr. Cardwell, Sir Stafford Northcote, The O'Conor Don, Mr. Hastings Russell, Mr. Hunt, and Mr. Edward Egerton:—Three to be the quorum.

House adjourned at Six o'clock.

HOUSE OF LORDS,

Friday, 19*th February*, 1869.

ROLL OF THE LORDS.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be *printed.* (No. 5.)

THE QUEEN'S SPEECH.
THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

The LORD CHAMBERLAIN of the HOUSEHOLD (The Viscount Sydney) reported that Her Majesty has appointed *Monday* next, at twelve o'clock, to receive the Address of this House at Buckingham Palace.

RAILWAY BILLS.

Resolved, That every Railway Bill promoted by an incorporated company and originating in this House shall, after having been read a first time, be referred to the Examiners of Standing Orders for Private Bills, who shall inquire and report as to the compliance with the provisions of the Act 31st and 32d Vict., cap. 119, sect. 35;

The Examiner shall give at least two clear days' notice of the day appointed for such examination, and Standing Orders 193, sect. 4, and 190, sect. 2, and the order of the 15th March 1859, shall be applicable to any memorial complaining of non-compliance with such provisions:

In the case of such Bills the time between the first and second reading shall be extended to the fourteenth day after the first reading thereof:

The statement required by the 5th provision of the said 35th section to be laid before Parliament in case of a poll being taken shall be deposited in the office of the Clerk of the Parliaments.

House adjourned at a quarter past Five o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 19*th February*, 1869.

MINUTES.]—New Writs Issued—*For* Wexford Borough, *v.* Richard Joseph Devereux, esq.; *for* Westbury, *v.* John Lewis Phipps, esq.

Select Committee—Public Petitions, *appointed.*

Public Bills — *Ordered* — Election Expenses; East India Irrigation and Canal Company*; County Courts*.

First Reading — Election Expenses [7]; East India Irrigation and Canal Company* [8]; County Courts* [9].

FOREIGN MAILS.—QUESTION.

Mr. Alderman LAWRENCE said, he would beg to ask the Secretary to the Treasury, When the Return, ordered by the House of Commons on the 24th July 1868, of the number of Foreign Mails daily to and from London, *viâ* France and *viâ* Belgium, and the capitals and chief cities in Europe and Turkey, will be laid upon the Table of the House?

Mr. AYRTON, in reply, said, that the Return was now ready, and would be laid upon the table as soon as an order was made to that effect. An order was made in the last Parliament; but it would be necessary that it should be repeated before the Return could be presented.

THE TREASURY BOARD.
QUESTION.

Mr. SCLATER-BOOTH said, he would beg to ask the Secretary to the Treasury, Whether he will lay upon the Table the Treasury Minute or Minutes regulating the position and functions of the several members of the present Treasury Board?

Mr. AYRTON stated that the Treasury Minute referred to would be laid upon the table at the next sitting of the House.

ARMY—TRAINING OF THE IRISH MILITIA.—QUESTION.

COLONEL FRENCH said, he would beg to ask the Secretary of State for War, If the practice of calling out for training annually the English, Welsh, and Scotch Regiments of Militia, and, at the same time, neglecting to afford similar advantages to the Irish Regiments, is to be longer continued; and, if so, for what reason? The right hon. and gallant Gentleman said this was the fifth year that the Irish regiments of militia had not been called out.

COLONEL FORDE also asked the Secretary of State for War, Whether it is the intention of Her Majesty's Government to call out the Irish Militia this year for training?

MR. CHICHESTER FORTESCUE, who rose to answer the Questions, said, that some weeks since his right hon. Friend the Secretary of State for War had asked the Irish Government whether they were desirous that the Irish Militia should be embodied during the present year. The question received very careful consideration indeed at the hands of the Irish Government, and it was decided that, on the whole, it would be better to defer that operation for the present—he might say only for another year. He need scarcely remind his right hon. and gallant Friend that they had not yet begun to undertake the task of governing Ireland under the provisions of the ordinary law, and if any error were committed it would be better that that error should be on the side of caution.

PORTUGAL—CASE OF MR J. CASSELLS, A BRITISH SUBJECT.

QUESTION.

MR. WINTERBOTHAM said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether he has received information that Mr. James Cassells, a British subject residing and carrying on business at Oporto, was sentenced in November last by a Portuguese Court to banishment for six years, for the crime of "wanting in respect to the Roman Catholic religion," such want of respect consisting only in conducting an ordinary Protestant service in his own house; whether this sentence is not an infringement of the religious liberty guaranteed to British subjects in Portugal by the Treaty of Lisbon in 1842; and, whether Her Majesty's Government have received any Memorial, or made any and what representations to the Portuguese Government on the subject?

MR. OTWAY said, it was true that Mr. James Cassells, a British subject residing and carrying on business in Oporto, was sentenced in November last by a Portuguese Court to banishment for six years; but his hon. and learned Friend was incorrect in saying that it was for the crime of "wanting in respect to the Roman Catholic religion," such want of respect consisting only in conducting an ordinary Protestant service in his own house. The facts of the case were these:—Mr. Cassells was put upon his trial before the Judge of the Court of first Instance at Oporto, and a Portuguese jury, having waived his privilege to a mixed jury, and two distinct charges were submitted to the jury by the presiding Judge in the following terms:—1. Was it proved that the prisoner, acting in contravention of the religion of the country, by law established, had held meetings in his own house composed of individuals residing in his own parish and in the neighbourhood; 2. Was it proved that he had by reading, by speech, or by act induced three individuals to hold doctrines at variance with the religion of the country, and had he endeavoured to make proselytes and converts to a religion not approved by the Church? The Judge further submitted the following point in extenuation:—Were the good conduct and charities of the prisoner, at the time of his alleged criminal act, proved as an extenuating circumstance in his favour? Of these three points the jury decided the first two in the affirmative, by majorities, and they unanimously assented to the last proposition. The Judge, in conformity with Article 130 of the Penal Code, sentenced Mr. Cassells to banishment from the kingdom for a period of six years, and to pay the costs of trial. Mr. Cassells immediately appealed to a Superior Court, and the result of that appeal was not yet known at the Foreign Office. Of course his hon. and learned Friend would see that pending that appeal it would not be in conformity with the custom of the Government to take any further proceedings in the matter. It appears that the authorities undertook these proceedings against Mr. Cassells with very great reluctance, and that they spared no efforts to induce him to desist from practices which they considered to be illegal. However, his hon. and learned Friend must not suppose that the matter was one of indifference to the British Government. The interests of Mr. Cassells had been watched over by Mr. Crawford, the British Consul at Oporto, who had instructed counsel to attend; and Her Majesty's Minister had been instructed to request of the Portuguese Government that no delay should take place in having the appeal heard. When the result of that appeal reached Her Majesty's Government it would be for them to consider whether it was necessary to take any further proceedings or not. With regard to the other part of the Question he might say, that the Earl of Clarendon had received communications from the Wesleyan body and also from the Scottish Reformation Society on the subject.

Mr. WINTERBOTHAM said, the second part of his Question had not been answered.

Mr. OTWAY said, it would be premature to give any opinion upon that until they knew the result of the appeal, and had an opportunity of considering the evidence.

REPRESENTATION OF THE PEOPLE ACT, 1867.—THE RATE-PAYING CLAUSES.

QUESTION.

Mr. CHARLES FORSTER said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of the Government to repeal the Ratepaying Clauses of the Reform Act, and to restore the system of Compound Rating?

Mr. GLADSTONE: My hon. Friend is perfectly warranted in asking a Question on the matter, which has excited considerable interest in the country. I am afraid, however, I must ask his indulgence, in so far that it would not be possible for me fully and clearly to make known the intentions of the Government in answer to the Question, without anticipating the statement which is to be made in a few days by my right hon. Friend the President of the Poor Law Board (Mr. Goschen). To answer his Question according to the letter, however, I may say that we do not propose to repeal the ratepaying clauses of the Reform Act, or to restore, in the letter, the system of compound rating. We recognize the existence of a practical grievance and desire to apply a remedy without at the same time re-opening the political controversies of the Reform Act. I think my hon. Friend will find, when the plan of the Government is before him, as it will be in the course of a few days, that, although we do not in the letter and form restore the system of compound rating, we do obtain from the remedy which we propose to apply those advantages which that system is calculated to secure.

CAPE COLONY—ENSLAVEMENT OF KAFFIR CHILDREN.

QUESTION.

Mr. R. FOWLER said, he would beg to ask the Under Secretary of State for the Colonies, Whether the attention of Her Majesty's Government has been directed to the systematic enslavement of Kaffir children by the Boers of the Trans-vaal Republic; whether any step have been taken to induce the authorities to fulfil that provision of the Treaty of 1852 which prohibited slavery; and, whether there is any objection to produce on an early day all the Correspondence on this subject which has taken place between Her Majesty's Government and the Governor of the Cape Colony or any other persons either in this Country or in South Africa? He must ask the indulgence of the House for a few minutes while he entered into some explanation. It might be in the recollection of the House that the Boers were a people of Dutch origin who originally settled at the Cape, but, in consequence of the passing of the Emancipation Act of 1834, they, having been large holders of Hottentot slaves, considered their rights invaded and left the Cape, moving northwards across the Vaal, where they settled in one of the finest tracts of land in South Africa. There they were a source of very great difficulty, owing to their constant contests with the Native tribes, and occasional hostility towards the British Government. Lord Grey, in a despatch dated November, 1850, said—

> "It is clear that the Boers have not the slightest claim to the territory which they occupy beyond the Vaal river, and I trust that no time will be lost in carrying into effect the measures which I have recommended for encouraging and assisting the Native tribes whom they are oppressing to assert their rights, and to defend themselves."

A treaty was made by the British Government with the Trans-vaal Boers in

1852, by which the independence of the South African Republic was acknowledged. This convention with the Boers who crossed the Vaal river under Pretorius was drawn up on the 16th of January, 1852, between Major W. S. Hogge and Mr. C. M. Owen, Commissioners for settling and adjusting the eastern and north-eastern boundaries of the Cape Colony on the one part, and on the other, a deputation of emigrant farmers residing north of the Vaal river, and was generally favourable to the Boers. It contained these two articles—

> "It is agreed that no slavery is, or shall be, permitted or practised in the country to the north of the Vaal River by the emigrant farmers.
>
> "It is agreed that no objection shall be made by any British authority against the emigrant Boers purchasing their supplies of ammunition in any of the British colonies and possessions in South Africa, it being mutually understood that all trade in ammunition with the Native tribes is prohibited, both by the British Government and the emigrant farmers on both sides of the Vaal River."

The effect of this convention was to place the Native tribes at the mercy of the Boers, who were able to secure an unlimited supply of ammunition, while the Native tribes were cut off from it. The result was that a system of slavery had grown up, and 6,000 children were now held in slavery by the Boers. In support of the statement, he could cite Dr. Livingstone, who, in a memorial to the right hon. Baronet the Member for Droitwich (Sir John Pakington), when he was Colonial Secretary, on the 12th of December, 1852, stated that, owing to a quarrel between the Boers and the Natives among whom he was residing, the Native town in which he lived was attacked and destroyed, his own house was plundered and his property taken. He was obliged in consequence to enter upon that course of travels which immortalized his name. In conversation, Dr. Livingstone told him (Mr. R. Fowler) that on a subsequent visit to the country of the Boers he found among them children who had been brought up in his own missionary schools, and who were detained in slavery by the Boers. Evidence as to the horrors attending this system of slavery had been adduced by residents of Natal; and its Legislative Council, on the 10th of August last, passed a series of resolutions on the subject, in which they declared—but he should not rest his case on any private information however respectable—

> "That ever since the annexation of the Orange River Sovereignty (since abandoned) in 1848, the emigrant farmers who settled over the Vaal River, and formed a Government of their own, under the style of the South African Republic, have carried on a system of slavery, under the guise of child apprenticeship—such children being the result of raids carried on against Native tribes, whose men are slaughtered, but whose children and property are seized, the one being enslaved and sold as 'apprentices,' the other being appropriated:
>
> "That the existence of this system of slavery, attended as it is by indescribable atrocities and evils, is a notorious fact to all persons acquainted with the Trans-vaal Republic; that these so-called 'destitute children' are bought and sold under the denomination of 'black ivory;' that these evils were fully admitted by persons officially cognizant of them at a public meeting held in Potchefstroom, the chief town of the Republic, in April, 1868, and that the whole subject has been brought fully under the notice of the High Commissioner."

The *Trans-vaal Argus*, a paper published in the South African Republic, reported a public meeting, held at the house of a field cornet, for the purpose of considering certain proceedings of the Volksraad, in relation to the Natives, at which terrible pictures were drawn of the suffering entailed by the raids and of the slavery to which the children were reduced. It was stated that in one case a number of children, too young to be removed, were collected in a heap and burned alive. In another case, it appeared that a field cornet had possessed himself of a Native child, whose mother had been fired at and wounded, and left on the road until picked up by some Kaffirs, who had her conveyed to their kraal, where she died next day. Mr. Robinson, an Englishman, Chairman of the Volksraad, the Legislative Council of the South African Republic, was reported to have said—

> "He was of opinion that it was right and proper conduct to shoot down the miserable Kaffirs. If it had been he he would have acted similarly, and he wished the last Kaffir was out of the world."

From the papers published in the South African Republic, it appeared that negotiations had been going on for some time for the recognition of the Republic by the Prussian Government, and the last number of the *Trans-vaal Argus* received in this country announced that a Prussian Consul to the Republic had actually been appointed. Considering the limited commercial relations of the Republic with Prussia, such an appointment was unnecessary and, therefore, mysterious. Seeing that the evidence of the atrocities could not be doubted, that they were vouched for by the Natal Legislative Council, and that this country acknowledged the independence of the South African Republic on the express condition that no slavery should exist in the Republic, he thought the matter was one worthy a few moments' attention from the House. At all events, he hoped it would receive the attention of the right hon. Gentleman opposite, and of the distinguished Statesman who presided over the Colonial Office.

Mr. MONSELL, in reply, said, he was sure the House would agree that no apology was required from the hon. Member for having brought this most important question, in a speech of studied moderation, before the House. Every statement made by the hon. Gentleman he was obliged to endorse. Her Majesty's Government had not any precisely official information, because we had no diplomatic agent in the Trans-vaal Republic; but at the same time the Government had received, both from the Governor of the Cape and the Governor of Natal, and from Her Majesty's Commissioner to the Mixed Court held at the Cape, statements fully corroborating all that had been said by the hon. Member. There could be no doubt that, in contravention of a solemn treaty, there existed an organized system of slavery in the Trans-vaal Republic. The system was the sending forth of commandos to kidnap Kaffir children, whose parents were murdered in order to render the children destitute orphans, on which plea they were subjected to so-called apprenticeship for a long term of years, that apprenticeship being slavery. For several years past the attention of successive Governments had been called to this matter. In 1865 it was brought under the notice of the right hon. Gentleman now the Secretary of State for War (Mr. Cardwell) by the then Governor, Sir Philip Wodehouse, and instructions were given him to address a strong remonstrance to the Governor of the Trans-vaal Republic. This and subsequent remonstrances when Lord Carnarvon was Secretary of State for the Colonies, had not produced any effect, and about a month before the late Government went out of Office, the Duke of Buckingham gave authority to the Governor of the Cape to withdraw from the inhabitants of the Trans-vaal Republic the permission to receive ammunition and arms from the British colonists. That was a curious and unjust clause in the Treaty of 1852 which permitted arms and ammunition to be sold to the inhabitants of the Republic and prohibited their being sold to the Kaffirs; but now both were placed on the same footing. In asking what steps the Government were going to take in this matter, the hon. Gentleman must remember the great distance between any of our settlements and the Trans-vaal Republic, and the impossibility of our acting upon the Republic by any but moral means. In the able pamphlet published on this subject it was said that moral means would probably be sufficient, and at all events Her Majesty's Government were not desirous of resorting to any other, but they were willing to do all that they could in that direction. What they most trusted to was the contrast which our settlement at Natal presented to the barbarous system which prevailed in the Trans-vaal Republic. In Natal there were about 250,000 Natives, a large number of whom had come in from other districts in order to have the advantage of British protection. Among them barbarous customs were rapidly disappearing, and civilization rapidly progressing; they were cultivating the land and starting sugar manufactories, which were worked by steam power; and the material interests of the community were being immensely promoted, and the public revenues increased by the freedom of the Native population. Some 20,000 young men, Kaffirs, were employed every year in the Natal settlement by the European settlers. We must trust that when their neighbours of the Trans-vaal Republic saw the effect of justice and equity in dealing with the Native population, when they saw that the Natives were capable of civilization, and that their labour could be procured without any of those atrocities by which they sought to obtain it, they would adopt those principles of justice which in the Natal district had proved so conducive to the material interests of the colony. If the hon. Member would move for the Papers he had referred to, there would not be the least objection to produce them.

Mr. GILPIN said, he was equally gratified with the manner in which the Question had been brought forward, and the Answer which had been given, for the Government could not be asked to do more than exercise a moral influence to put a stop to this slavery, and, happily, English influence was great in that district. He had some relations with Natal, and had communications from the colony every month, and he believed that the case against the Trans-vaal Republic had not been overstated. It was a pity that when we had abolished slavery in the West it should be continued in the East in this gross form.

PROPOSED VIADUCT ON THE THAMES EMBANKMENT.

QUESTION. OBSERVATIONS.

LORD ELCHO said, he would beg to ask the First Commissioner of Works a Question relative to the Viaduct from Charing Cross Bridge to Wellington Street, Strand, proposed to be made on the Thames Embankment by the Metropolitan Board of Works. The importance and urgency of the subject induced him to bring it forward early in the Session. Its importance might be gathered from the fact that it amounted simply to this—whether £245,000 of ratepayers' money was to be unprofitably expended on a scheme which would occupy a large portion of the Thames Embankment, reclaimed from the river at great cost, destroy a magnificent site for a public building, and give in return a roadway of little or no value to the public? The Board of Works was blameless in the matter, as it was bound by an Act of Parliament to carry out the scheme. The connection of the Board with the Viaduct scheme was briefly this:—The Metropolitan Commission of Sewers, created under the 11 & 12 *Vict.*, became by the 18 & 19 *Vict.* the Metropolitan Board of Works, a body invested with enormous taxing powers, and charged with the duty of carrying out metropolitan improvements. The Thames Embankment, though originally recommended by Sir Christopher Wren, and more seriously proposed by Sir Frederick Trench in 1824, owed its construction in a great measure to a suggestion of that very able man, Sir John Thwaites, during the consideration of the proposal to carry the sewage of the metropolis to the mouth of the Thames. Sir Joseph Paxton took up the idea, a Committee of the House reported favourably upon it, a Royal Commission did the same, and in 1862 Parliament entrusted the Board of Works with the duty of constructing the Embankment. The scheme involved the making of approaches to the Embankment from the Strand. Part of the scheme was a roadway from the neighbourhood of Charing Cross to Wellington Street, in the Strand, or, properly speaking, Lancaster Place. When the matter was handed over to the Metropolitan Board of Works, they did not think that the best line of road, so they proposed another. A Committee of the House of Commons sat upon it. There were various schemes, with a detailed account of which he would not trouble the House; but last year a Bill was passed, laying down a line of road, and under that Bill the Metropolitan Board of Works, whatever their own feelings might be, were obliged to carry out the Viaduct he had described, and which was so much objected to. It was true the Board had not yet accepted contracts for the work, but they had issued the necessary notices, and tenders had been advertised for, and, unless Parliament stepped in, the work would have to be gone on with, because the hands of the Board were absolutely tied. A very strong feeling on the subject had arisen in the metropolis during the last fortnight. The Rev. Henry White, chaplain of the Savoy Chapel, had given a very clear description of the roadway in a letter to the Editor of *The Times*, and in company with himself and others had stated the reasons against making it to the First Commissioner of Works, who, he was glad to say, appeared to sympathize with the object of the deputation. The points laid before the right hon. Gentleman were the expense and waste which the construction of the Viaduct would involve, its unsightliness when completed, and the destruction of a most admirable site for a public building. The objectors to the scheme included the District Board of Works, represented on the deputation by Mr. Jones, who said the Board had never been consulted upon the subject, and had petitioned against the work as soon as its true character became known. He had that evening presented a petition from St. James's Vestry, declaring the proposed structure unsightly, and of questionable utility for purposes of traffic. The House was merely asked to postpone the work for a time until it had been positively ascertained whether this Viaduct was necessary, in addition to those two main thoroughfares, the Embankment and the Strand, one of which was as yet unopened. It had been suggested that the Viaduct was designed more as a ready means of communication between Downing Street and Whitehall and Somerset House than for the public convenience; but in any case it was not too much that Parliament should be asked to stay the hand of the Metropolitan Board—which really did not want to carry out the work—if it were only to preserve the eight acres of reclaimed land as a site for some public building. He invited any hon. Member who had not already done so to take a walk on the Embankment, and what would he see? In the first place, he would see executed by the Metropolitan Board of Works the finest granite wall in the world; and if he went as far as Waterloo Bridge he would find Somerset House and that beautiful bridge on the one side, and almost as a matter of necessity something was required by way of balance on the other. If they should have nothing of the kind, the result would be that this beautiful spot, so well adapted for the ornament of the metropolis, would be occupied by a road or viaduct, which, however constructed, must necessarily be a very great eyesore. They all knew that the buildings on the spot where this Viaduct would be were not ornamental, and, unless negotiations were entered into between the Government and the proprietors, all that the latter would look to was to see that they had made of their property the most profitable investment. They might have warehouses or dwelling-houses, factories or gas works, on the spot, or, in short, anything which would be most profitable to the owners. Now, there was an important moral and an important principle involved in this matter. The moral he held to be this:—whether in this metropolis, where so many important railway and other works were to be constructed, there was to be any controlling power? At present there was none—absolutely none. That was a state of things which ought not to exist in this metropolis, and which existed in no other metropolis in the world. It was the fault of the House of Commons, which did not give sufficient power to any authority to step in and interfere. He would give an illustration of what he meant. Take the South-Western Railway, for instance. Suppose it wanted to extend from the south to the north of London, and to join the Great Northern. What had it to do? Simply to deposit its plans, its estimates, and all that was required by the Board of Trade within a certain day; it came then before Parliament, and its scheme was submitted to a Committee of that House. Now that Committee took no cognizance whatever of the nature of the works, so far as affected the beauty of the metropolis, whether they would destroy it or not. If the plans were deposited, the money lodged, and the public requirements of traffic seemed to render such a railway necessary, the Committee would pass it without further question. What was the result? Why, that they had got Hungerford Bridge, which intercepted the view of the Houses of Parliament from Waterloo Bridge; and with regard to Cannon Street they had got a monstrous tubular station which jutted into the Thames at one side and cut off the view of St. Paul's. Now, if there were any one in the metropolis responsible for its public works those two structures would not have been erected. One of the disadvantages of the divided authority which existed was that the roadway parallel to the Thames, which they all desired to see completed, could not be made for five years, because Parliament in its wisdom had given the Metropolitan District Railway Company power to scoop and burrow under the roadway, and until their railway was constructed the road could not be made. Further, one Committee of the House decided that this Metropolitan Railway Company should run a portion of their line on arches in order that the water-rights of certain persons might be preserved; but subsequently another Committee decided that the railway should be in the inside of an embankment. Therefore they had one Committee deciding one thing, and another another. Why, it was simply because of these divided powers and of there being nobody to control them, and the Board of Works and the Railway Company could not come for such a long time to a settlement about this railway. He had spoken of the ability of Sir John Thwaites and the Metropolitan Board. He had already said that the wall they had erected was the most beautiful river wall in the world. But whom had the public to thank for it? Was it the House, or a Royal Commission, or the Government? Nothing of the kind, it was Sir John Thwaites and the Metropolitan Board of Works. He had said to Sir John Thwaites, "You have made a most beautiful wall; but I just want to ask you, as far as a Committee of the House of Commons, as far as a Royal Commission, as far as the First Commissioner of Works, or any other officer of Government were concerned, might you not have erected anything in the shape of a wall you chose, whether of concrete or of brick?" And the answer was that it was so. He hoped that state of things would be put an end to, that the Government would pay attention to this question, and lay down a new system. He might cite other instances, but he would not. All he wanted was that the Office of the First Commissioner should be so constituted as to have a Board, chosen, he would say, by the Institute of Architects, and with the Chairman of the Metropolitan Board of Works as a member, who would advise the First Commissioner on all these matters. Indeed, the First Commissioner had already made a salutary change by putting Mr. Fergusson, a first-class architect, in the office. The additional Board might be made to consist of two members appointed by the Institute of Architects, two appointed by the Royal Academy, and one appointed by the Metropolitan Board of Works. He believed, with a Board so constituted, no public work could be constructed, and no Act of Parliament sanctioning one could be obtained unless the First Commissioner of Works was satisfied that it would be an embellishment to the metropolis and not the reverse. He had prepared a Resolution on the subject to this effect, that it was not expedient to proceed with the proposed road or Viaduct from Hungerford to Waterloo Bridge until the subject should be submitted for further consideration to a Committee of that House. According to the forms of the House he he could not move it now, but he would on Monday next give Notice of a Motion on the subject. He hoped, however, that the First Commissioner would render it unnecessary for him to move any Resolution, by taking the matter up and refering it to either a Royal Commission or a Committee of the House.

MR. BUXTON said, he concurred in the view taken by the noble Lord. He believed the proposed work was a mere blunder on the part of those with whom it had originated. He could not discover that anybody liked this scheme. The Board of Works did not like it, though they were carrying it out; the First Commissioner of Works did not like it; and the ratepayers of London did not like it, beccause it would involve them in an expenditure of £245,000. He really thought the very finest site in all London for a magnificent public building would be sacrificed if this Viaduct was erected. They were now making the river Thames one of the most beautiful in the world, and it would be the most puerile folly to throw away those eight acres by cutting them asunder by this Viaduct. There really ought to be some one with greater powers than the First Commissioner to judge in such matters; and he hoped the right hon. Gentleman would give the House the benefit of his views on the subject.

VISCOUNT BURY said, he was anxious, as a Director of the South Western Railway Company, that it should not go forth to the shareholders that the case hypothetically put by his noble Friend (Lord Elcho) was an actual case. It was not in the contemplation of the Company to throw a bridge across the Thames, or make any extension of their line in the manner imagined by his noble Friend. But he agreed with his noble Friend that if that Railway did wish to make any such extension, there was no controlling authority which could prevent them from disfiguring a magnificent site by erecting there one the greatest monstrosities in the world. He did not say that each separate authority, if left to itself, might not be competent to do what was right in that matter; but the conflict of authority which existed caused the most complete anarchy. Before coming down to the House, he had inspected the site to which his noble Friend alluded, and found the Embankment blocked up with all kinds of work; yet the several works were not to be carried out contemporaneously, but one was to be commenced after another was done. After Sir John Thwaites and his colleagues had finished the Embankment, then came the Metropolitan Railway, which dug up all that had been laid, or burrowed under the Embankment; and that Railway Company had power to deprive the public for five long years of the enjoyment of that Embankment. Nor was that all. Somehow or other—he could not tell in what way, or who was responsible for it — an Act passed through Parliament last Session, further to aggravate the condition of anarchy in which the Thames Embankment stood by the building upon arches of a road, with a gradual slope, that would for ever utterly disfigure and destroy one of the noblest sites in Europe. Every hon. Member to whom he had mentioned the matter had told him that it had come upon him with surprise; indeed, many hon. Gentlemen were quite startled on hearing that such a work was contemplated. He trusted that the House of Commons would put down its foot on that extraordinary state of things, and pause before the Act of last Session was carried out. The ratepayers did not desire this Viaduct, nor did the traffic which now passed along the Strand require it. Indeed, the whole question of the Thames Embankment had been muddled. When it was first projected, all those squalid buildings which abutted on the river, and were valuable only because they so abutted, were not bought up — that would have been a sensible thing — but their water privileges were bought up; and now that the Embankment ran in front of those squalid buildings they had been made five times more valuable than they were before. Thus, having first compensated their owners for their water privileges, they would have to buy the buildings themselves at the enhanced value put upon them by the very construction of that work. All that showed the necessity of establishing some such authority in the metropolis as his noble Friend had indicated.

Mr. LAYARD said, in reply, his noble Friend the Member for Haddingtonshire (Lord Elcho) was good enough the other day to attend at the Office of Works with a deputation on that subject, when he made to him a reply which he was very much afraid he could only repeat that evening. The fact was that he had really nothing to do officially with the Thames Embankment, or with anything which might be erected on that great highway. All that he could do—and that he had promised his noble Friend the other day he would do—was to use what personal influence he might have with the Metropolitan Board of Works, and ask them, if possible, to check the construction of the road and Viaduct, which, there could be no doubt, would have the effect described by his noble Friend and other hon. Members who had spoken that evening. The relations between the Metropolitan Board of Works and the First Commissioner of Works, whether official or otherwise, had always been of the most friendly and cordial character, and Sir John Thwaites and Mr. Tite had kindly offered to take such steps as were in their power to delay the progress of the works. But certain notices had been given for the acquisition of a part of the site, which were in the nature of a contract, and must be carried out, although the contract for the works themselves had not been entered into. As First Commissioner of Works, he had no power in that or any other matter to interfere with the Metropolitan Board of Works, or with the operations of any company in the metropolis. His position was frequently much misunderstood, and he was held responsible for many things with which he had nothing to do. It was, for instance, popularly supposed that he was at the head of the Woods and Forests; but such the House knew was not the case. He would look at the question of control over public buildings in the metropolis for a moment from an Imperial and not a mere ratepayers' point of view. The House of Commons had more than once rejected schemes for erecting a National Gallery on different sites which had been proposed, and it had determined that a National Gallery should be erected in Trafalgar Square, at a great expense to the nation, on this ground, among others, that that was one of the finest sites in the world, and that a magnificent view of any building there erected would be obtained from Parliament Street. Well, assuming that building to have been erected at the cost of the nation, what might happen? It was perhaps an extreme supposition, but some railway company might obtain permission to unite the Charing Cross Station with Brompton, and might throw a bridge across the entrance to Parliament Street, which would completely destroy the view of the new National Gallery, for the sake of which a large outlay of public money would have been incurred. That was a great evil. How it was to be remedied was another question. As First Commissioner of Works he had no power whatever to interfere. On another occasion he might appeal to the House for its opinion on the subject. When the Metropolitan Board of Works was first constituted they could not undertake any work the expense of which exceeded £50,000 without the approval of the First Commissioner of Works; and before entering upon any work exceeding £100,000 they were compelled to obtain the sanction of Parliament. But in 1858 an Act was passed which repealed the sections of the previous Act conferring that power on the First Commissioner and on Parliament. What had been stated in regard to the road in question was strictly true; but the Metropolitan Board of Works were not responsible; their hands were as much tied as his own. When the Thames Embankment Act was passed it was thought by some persons that there ought to be a communication between Wellington Street, Strand, and Parliament Street, in order to divert the traffic, which, it was said, was too great for the Strand. He had strong doubts whether there was any proof that the traffic was too great for the Strand; and it was the opinion of the Metropolitan Board of Works that it would not require dividing at Wellington Street. But the Committee of the House decided that that road should be constructed; so that there would be two nearly parallel roads, one of which would be partly constructed on a Viaduct. The Metropolitan Board of Works at once saw that so hideous a structure as was at first proposed would destroy the whole effect of the Embankment, and would require a great group of buildings to mask it. The Committee, however, rejected the scheme of the Board of Works for a crescent in front of the road and Viaduct. It was first decided that this road should lead from Wellington Street, but as the narrowest part of this street had been selected, the line was altered, and the road was to commence from the corner of Wellington Street and the Strand. But the inhabitants of the Savoy immediately rose against the scheme, and complained that it would disturb their ancient and venerable graveyard. This led to the final change of the plan, by which the communication would start from the broadest part of Wellington Street. A Bill was passed last Session authorizing that deviation; and it was an extraordinary fact that that Bill should have apparently got through the House without discussion, as a fresh opportunity was thus afforded of re-considering the whole question. The Embankment road ran along the north side of the Thames, and it was now proposed that a second road should run from Hungerford Bridge almost parallel with the Embankment road, and should have an ascent of forty feet to Lancaster Place, near Waterloo Bridge; but where the Viaduct nearly reached the level of the Strand—that was, about Salisbury Street and Cecil Street, and would prove some use to the public—power was given to the owners of the property to close those streets with gates, which would intercept the communication with the Strand. After all, the convenience in regard to shortening the distance between the Strand and Parliament Street would not be so great as had been supposed. He had had the distance measured, and found that there was a difference of a few feet only between that route and the route along the Strand into Parliament Street. There was no doubt that in an æsthetic point of view it would be perfectly monstrous to have a roadway gradually rising in the manner he had described and cutting the Embankment diagonally into two parts. The expenditure upon this new work was a serious matter for the consideration of the ratepayers of London. Estimates had already been given in to the extent of £230,000, but that would be very far from representing all that would be required to be paid. A large sum would be required to hide the monstrosity from view as much as possible by the planting of trees. Moreover, there would be a great gap left behind it similar to the one which long existed in Victoria Street, which would form a hideous receptacle for rubbish, dead cats, and other offensive matter; and it would be necessary to put the ratepayers to considerable additional expense to obviate that nuisance by filling up this hollow. But, as he had said before, he had no power to interfere in the matter. Sir John Thwaites and the Board of Works were as much opposed to the making of the road as he was, and he felt assured they would do everything they could to put a stop to its construction; but it would be very difficult for them to effect that object unless they were supported by an expression of the opinion and the authority of the House of Commons. He himself had contemplated the erection of a public building on the site in question, which was one of the best and most central in the metropolis, and the only area sufficiently large and convenient for a good public edifice that could now be obtained, but he suddenly found that he was precluded from carrying out his intention in that respect in consequence of the projected construction of a roadway, which would be of no use to anybody, to which the ratepayers were opposed, and against which he believed every man of taste would protest. It was in that manner that the subject was originally brought under his notice, and he was glad to find that it had been brought under the notice of the House, for it was only by the expression of a decided opinion on its part that the Board of Works would be enabled to interfere with the prosecution of a scheme which would entirely destroy a magnificent site. He thought the course proposed by the noble Lord (Lord Elcho) was a perfectly right one. A Committee of the House would be the proper tribunal to inquire respecting what was to be done. The Metropolitan Board of Works was not bound to proceed at once, as three years were allowed to construct the road; therefore there was plenty of time to reverse the decision to which the Committee on the Embankment Bill had come. And even though a few houses were purchased for carrying out the work, that would not cause any great loss — supposing they were bound to bear it.

Mr. W. COWPER said he must maintain that ample time had been given to the consideration of this matter. Eight years had elapsed since it was mooted, and therefore it could not be said that the ratepayers living in the precincts of the Savoy had been taken by surprise with respect to the construction of the road. The road was intended to furnish the means of direct communication between the eastern part of the Strand and Westminster Bridge, and its construction formed part of the scheme of the Commission which was appointed by the Crown to recommend a plan of improvement in that quarter of the metropolis in 1861. That Commission, he might add, differed very little from the council advocated by his noble Friend the Member for Haddingtonshire (Lord Elcho), who seemed to think that if there were only a council to advise the First Commissioner of Works every one would be pleased. It was composed of men who were deemed to be most competent to advise on questions of that description. Among its members were two eminent military engineers—General Jebb and Captain Douglas Galton—a civil engineer, Mr. Maclean — Sir William Cubitt, who was at the time Lord Mayor, Sir John Thwaites, and Mr. Hunt, the Surveyor of Works; so that the Board of Works were, through its Chairman, a party to the original proposal, for although it was true that Sir John Thwaites had not signed the Report, because he objected to one of the recommendations of the Commission, yet he had expressed his entire concurrence in the general scheme suggested. The Report, accompanied by a plan for a roadway, was, among other Papers laid before Parliament, and was in the following year 1862 submitted to a Committee of the House of Commons; so that the whole of the proceedings connected with the matter were as deliberate as possible, and it was rather too late to object to the roadway on the ground that nothing had ever been heard of it before. The road would be very useful, as the only convenient communication between the Strand and the Embankment, and as a relief to the traffic at Charing Cross and the Strand. The higher part of the Viaduct would not be constructed on the Embankment itself, but on the ground which was now occupied by the houses between Cecil Street and Lancaster Place. He might further observe in reply to those who objected to the roadway because it would, in their opinion, occupy a space which was valuable as a site for public buildings, that the original plan for the Thames Embankment was that the greater portion of it should be laid out as a recreation ground for the public, and not used for building purposes. An open space of that kind would be very ornamental. It would be better to let new buildings rise on the space only where old buildings now stand. The building which his right hon. friend (Mr. Layard) proposed to erect would be placed at the bottom of the Adelphi Terrace. He (Mr. W.

Cowper) did not think that would be a favourable place for the erection of such a building. If the Metropolitan Board of Works had objected to this roadway they might have proposed to repeal the clause of the Act relating to it, but he had never heard of a proposal to repeal it. They could not at that moment repeal an Act of Parliament; but a Committee of the House might consider whether this road really involved the objections urged by his noble Friend, or whether the benefit of the communication could be obtained without disfigurement and without needless sacrifice of space.

Mr. BERESFORD HOPE said, he was of opinion that the speech of his right hon. Friend the Member for South Hampshire (Mr. W. F. Cowper) was the clearest illustration they had yet had of the defects of the existing system, and the most complete and clinching confirmation of all the arguments which had been urged by the preceding speakers. The very length of time over which, according to his statement, the arrangements had spread, concluding with the total ignorance which existed as to the ultimate form which they had assumed, was the severest possible condemnation of the entire affair. The right hon. Member had shown that notwithstanding the agencies of the Metropolitan Board of Works and of the First Commissioner of Works, the complicated commissions, notices, forms of the House, and so forth, a Bill had passed through Parliament of which nobody knew anything, and which everybody was startled at when they first happened to hear of it. Now, if such a thing occurred under the present cumbrous management, it proved not only that they were very naughty children indeed, but that they had schoolmasters trained upon very bad models, and that some organization should set to work to alter the whole system. It was really appealing a good deal to their imagination to tell them, as his right hon. Friend had just done, that a temporary Commission had the same power as, or was in any way equivalent to, a formal Council. He admitted that the merits of the proposed Council, on which the noble Lord the Member for Haddingtonshire (Lord Elcho) laid so much stress, were not strictly germane to the present question, and that a great deal might on this point be urged upon the other side. But to contend that a temporary Commission, appointed without any responsibility, and merely to deal with a particular matter, would have the same authority, either in the eyes of Parliament or of the public, as a permanent Board would be to say what few could agree to. The fact was that division of responsibility ended with no responsibility at all in the management of our public buildings. At each change of Government some accomplished gentleman found himself appointed to a Commissionership, which foreign journals translated *Ministère des Travaux Publiques*, and yet in the greater part of all that concerned the public works of the largest and most important city of the Empire, he had no more authority than the beadle at the Burlington Arcade. The Commissioner had, indeed, a few parks to look after; he might order about a few statues and plant a few flower-beds; and he was the authority whenever a public Department wanted to order a little new furniture. Such was the level of the English idea of Minister of Public Works. He trusted, however, that after the discussion of that evening something better might arise. He (Mr. Beresford Hope) had often raised his voice in the un-Reformed Parliament for a strong Minister of Arts and Architecture. He trusted now that the Reformed Parliament would grasp the conception. He hailed the manly speech of the right hon. Member for Southwark (Mr. Layard) and his courageous confession of official impotence; and, in so doing, he claimed that the present First Commissioner should follow up his words with deeds, and propose some effective remedy. After what had taken place, the obnoxious Viaduct was, of course, doomed; but the evening's work would only have been half done if the benefit of the debate were to stop there. He called upon his right hon. Friend to propose some measure which should reorganize and strengthen our administration of public works. And now a few words with regard to the particular question at present before the House. His right hon. Friend the Member for South Hampshire had indeed, argued that this Viaduct would go a very short way over the reclaimed land, and would be chiefly carried through the ruinous houses upon the present river's bank. Not long ago, however, he happened accidentally to see what he believed was the authentic plan of the site; and unless his senses deceived him, the major portion of the Viaduct was to run upon the reclaimed land, and it was only to touch existing houses at either end. In short, if the right hon. Gentleman would refresh his memory by looking at the plans he would see that the whole of this portion of the reclaimed land would be hopelessly eaten up by the waste of space incident to the transverse course of the Viaduct. As to the argument that a public building ought not to be placed upon that plot because the land was originally laid out for a park or public recreation ground, that was not to the point of the present debate, and he wondered that the right hon. Member for South Hampshire urged it as if it had been. It might, indeed, be a question hereafter whether a fine public building or a public garden were the more desirable use of the ground. That was a fair matter for a debate. Either would be a noble, and, so to speak, an Imperial destination of that magnificent area, but both would be made impossible if this wretched Viaduct were to be carried out. Let the House clear the way to the discussion by deciding that, in some form or other, the land reclaimed from the river shall be devoted to public purposes, and not be surrendered to private enterprize, and prostituted to wharves and warehouses.

THE CRIMINAL CLASSES.—QUESTION.

Sir GEORGE JENKINSON said, he would beg to ask the Secretary of State for the Home Department, Whether he has seen a statement in the police report, as reported in *The Times* of the 17th instant, to the following effect:—

> "That at the Southwark Police-court a man named George Roberts, aged sixty-five, was charged on remand with being in the area of a certain house for the purpose of committing a felony; that further evidence was given by Richard Kemp, one of the warders at Wandsworth, who said that the prisoner was one of the oldest burglars in England, many years ago he was cast for death, and that sentence was commuted to transportation for life; that he received a ticket of leave, and had since been twice transported for life, and liberated with license; that at the September Sessions of the Central Criminal Court in 1866 witness was present when prisoner was tried for burglary, and sentenced to eighteen months' hard labour, and that he believed that he had since been convicted in the country. Mr. Burcham sentenced him to three months' hard labour for being in inclosed premises for an unlawful purpose."

He wished to know whether that statement as reported represented the facts accurately; whether, if accurate, those facts were in accordance with, or contrary to, the existing state of the Law; and, whether, in either alternative, the right hon. Gentleman has taken, or proposes to take, any steps to remedy such an anomalous and extraordinary state of things? He craved the indulgence of the House for a few moments while he made a few remarks on a subject affecting all classes of society. If the details referred to in this Question were accurately stated, he could hardly imagine that the Home Office Circular issued by Sir George Grey on the 15th of August, 1864, had in this particular case been complied with in every point. He was quite aware that, in making these remarks, he was trenching on the entire subject of the treatment of our criminal population and their alleged rights. He maintained, however, that the rights of society and of peaceable and orderly men must take precedence of the alleged rights of criminals, whose only trade was violence and robbery, and who were at war with all mankind. If any individual came before a magistrate, and, to use the common phrase, "swore the peace" against any other individual, alleging that he went in fear of him, the person against whom the application was made was bound under surety to keep the peace, not only towards the complainant, but towards all Her Majesty's subjects. Now, if an individual possessed this right as against any other individual, why should society at large be debarred from exercising it collectively against the whole of the criminal class? It might, perhaps, be urged that our prisons were already full to overflowing; but how could it be otherwise while we pursued the present system of transporting none of our criminals, and of hanging very few, who, he was afraid, were in some instances, by no means the worst of them. If we were to turn loose a large number of criminals without an adequate system of supervision, what would become of society? He would not go into the subject more fully at present, because he believed that a Bill was about to be brought forward in reference to it, so that the House would have an opportunity of dealing with the question in a comprehensive and liberal manner. This was a question affecting the whole community, and it ought to be treated without regard to party or political views. He trusted that criminals liberated on ticket of leave would be subjected to supervision, for he could not see that there was any hardship in placing a criminal who had several times offended against the law under the surveillance of the police for the remainder of his life. If the man alluded to in his Question as having been thrice sentenced to transportation for life, had been subjected on his liberation with license to the surveillance of the police, he would not have had an opportunity of committing the fresh offences with which he was charged. He hoped the right hon. Gentleman would introduce into any measure he might bring forward stringent clauses to repress the criminal population of this country, as the peaceful and well-disposed members of society were entitled to that protection at the hands of the Government.

MR. BRUCE said, in reply, the very short Notice I received of the hon. Baronet's intention to put his Question prevents me from giving a complete Answer to it. The whole of the case referred to rests solely upon what was said by a warder at Wandsworth, and his statement is so extraordinary that I imagine it will not be found, on inquiry, to have any foundation whatever in truth. The only record at the Home Office, with regard to George Roberts is, that he was convicted of burglary, and sentenced to eighteen months' imprisonment. If hon. Gentlemen consider for a moment, they will see it is in the highest degree improbable that a man sentenced to transportation for life should have been liberated three times during the last fifteen years, for it is only since 1853 that the system of granting licenses, commonly called "tickets of leave," has been in operation. It is, indeed, hardly credible that one sentence of death, and three of imprisonment, had been passed upon a man, and that, in the course of fifteen years, he had received three licenses allowing him to return to this country. I know, as a matter of fact, it is very seldom that a free pardon is granted to persons sentenced for life. Such persons, indeed, occasionally obtain conditional licenses, allowing them freedom within the colony, and no doubt the condition of these licenses is sometimes violated, and the criminals holding them escape to this country. But cases of this kind are very rare, and it is extremely improbable that such a thing should have occurred three times in the case of one person. Inquiry has, however, been instituted into the case mentioned in the hon. Baronet's Question, and on a future occasion I shall be able to supply the correct particulars. Meanwhile, I may remark that, since 1864, very stringent rules have been laid down with regard to the issuing of licenses. Speaking generally, the utmost that a convict can get by way of a remission on a ticket of leave is something less than one-fourth of his sentence, and that remission can only be gained when he has shown great industry and general good conduct. Any departure from industry, or good conduct, leads to a diminution of the extent of the license. In cases of sentences for life, the rule is, that they should be separately considered, and it is only in very extraordinary instances indeed that a pardon is given, enabling a man who has been sentenced to transportation or imprisonment for life to be restored again to society. The hon. Baronet does not seem to be aware that a system of police supervision already exists. It is not so complete as is desirable, owing to the movement of criminals from place to place; but it will be part of the proposals, which I hope to have the honour of submitting to the House on Monday, to make that system of supervision more effectual. With regard to the other measures I am about to bring forward with reference to the amendment of the law in respect of criminals, I am sure the House will not expect me now to anticipate what will so soon be formally submitted to its notice.

ELECTION EXPENSES BILL.—LEAVE.

FIRST READING.

MR. FAWCETT, in moving for leave to bring in a Bill to amend the Law relating to the Expenses of Returning Officers at Elections, said, the measure had been amply discussed last Session, when there had been four or five divisions upon it. The House and the country would, therefore, be well acquainted with his proposal, which was simply to throw the necessary expenses of elections—and only the necessary expenses—upon the borough or the county rates. Provision had been made in the Bill for cases in which a county was divided, and adequate security would also be provided against unnecessary and vexatious contests. Such a measure would, in his opinion, have this great advantage — it would exert some influence in checking what was no doubt the opprobrium of our representative system—the great, and he feared, the increasing expenses of election contests.

Motion *agreed to.*

Bill to amend the Law relating to the Expenses of Returning Officers at Elections, *ordered* to be brought in by Mr. FAWCETT, Mr. BAINES, and Mr. M'LAREN.

Bill *presented,* and read the first time. [Bill 7.]

DROGHEDA WRIT.

MR. GLYN moved,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Drogheda, in the room of Benjamin Whitworth, Esquire, whose Election has been determined to be void."

COLONEL TAYLOR said, that only yesterday the House had ordered the production of the evidence taken during the inquiry into the Drogheda Election. He hoped that pending the production of this evidence the issue of the Writ would be suspended.

THE ATTORNEY GENERAL said, that the Report of the Judges was before the Government. Under the Act of last Session they were of two kinds. They might be mere ordinary Reports that so and so had been duly elected, or that the election was void, in which cases the Writs would issue almost as a matter of course; and there could be no object in having the evidence printed or in instituting inquiry, inasmuch as the decision of the Judge had already settled the matter. Or they might be special Reports, and with regard to them the Act of last Session enacted that where a Judge made a special Report the House of Commons might make such Order as they might think proper with respect to such special Report. Where the Judges reported specially that there was reason to believe that corrupt practices had extensively prevailed, he apprehended that it would generally be proper that an Address to the Crown should be moved for, with a view to the issue of a Commission. The special Report of the Judge in the Drogheda case was not a Report of this kind. At the same time it was, no doubt, a special Report, and the House would be entitled to take such a course as it thought fit. Under these circumstances, he thought there was sufficient ground for asking his hon. Friend to postpone the issue of the Writ for a few days, in order that the House might have before it the evidence taken by the Judge.

Motion, by leave, *withdrawn.*

EAST INDIA IRRIGATION AND CANAL COMPANY BILL.

On Motion of Mr. GRANT DUFF, Bill for the confirmation and execution of arrangements made between the Secretary of State in Council of India and the East India Irrigation and Canal Company; and for other purposes connected therewith, *ordered* to be brought in by Mr. GRANT DUFF and Mr. STANSFELD.

Bill *presented,* and read the first time. [Bill 8.]

COUNTY COURTS BILL.

On Motion of Mr. NORWOOD, Bill further to facilitate proceedings in the County Courts, *ordered* to be brought in by Mr. NORWOOD, Mr. AKROYD, and Mr. MUNDELLA.

Bill *presented,* and read the first time. [Bill 9.]

PUBLIC PETITIONS.

Select Committee *appointed,* "to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:"—Mr. CHARLES FORSTER, Mr. BONHAM-CARTER, Major GAVIN, Mr. HASTINGS RUSSELL, Mr. Alderman SALOMONS, Mr. OWEN STANLEY, Mr. KINNAIRD, Mr. M'LAGAN, Mr. DE GREY, Mr. DIMSDALE, The O'CONOR DON, Mr. WILLIAM ORMSBY GORE, Mr. HENNIKER-MAJOR, Lord GARLIES, and Mr. GUEST:—Three to be the quorum.

House adjourned at half after Six o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 22nd February, 1869.

MINUTES.]—SELECT COMMITTEE—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod *appointed.*

PUBLIC BILL — *First Reading* — Parliamentary Proceedings* (7).

THE QUEEN'S SPEECH.

ADDRESS IN ANSWER TO HER MAJESTY'S SPEECH.

EARL GRANVILLE said, that very soon after the adjournment of the House on Friday he received a communication from Her Majesty's medical adviser, Sir William Jenner, informing him that Prince Leopold had unhappily been attacked by the same disease which on two previous occasions had placed his life in jeopardy. A communication at the same time reached him from Her Majesty, desiring him to express to their Lordships her deep regret at being prevented under those circumstances from receiving at Buckingham Palace their Address and that of the House of Commons. It was, therefore, thought convenient, though somewhat irregular, to apprize their Lordships on Saturday by a Notice appended to their Minutes, that the House would not meet, as had been arranged, to present the Address at noon this day. It was now his duty to move that the Address be presented in the usual manner by the Lords with White Staves.

The Order made on Thursday last, that the Address to Her Majesty, agreed to on Tuesday last, be presented by the Whole House, *discharged.*

Ordered, That the said Address be presented to Her Majesty by the Lords with White Staves.

PARLIAMENTARY PROCEEDINGS BILL [H.L.]

A Bill to facilitate Proceedings on Bills in Parliament—Was *presented* by The Marquess of SALISBURY; read 1ª. (No. 7.)

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee on, *appointed:* The Lords following were named of the Committee:—

Ld. Chancellor
Ld. President
Ld. Privy Seal
D. Richmond
M. Salisbury
M. Bath
E. Devon
E. Tankerville
E. Carnarvon
E. Malmesbury
E. Granville
Ld. Chamberlain
V. Hawarden
V. Eversley
Ld. Steward
L. Willoughby de Eresby
L. Colville of Culross
L. Foley
L. Redesdale
L. Colchester
L. Stanley of Alderley
L. Cairns

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 22nd February, 1869.

MINUTES.] — SELECT COMMITTEE — Printing, Mr. Ayrton *added,* Sir Sydney Waterlow *appointed.*

PUBLIC BILLS—*Resolutions in Committee*—Civil Offices; Sale of Liquors.

Ordered—Sale of Liquors*; Rateable Property (Metropolis); Rateable Property; Ecclesiastical Titles.

First Reading—Sale of Liquors* [10]; Rateable Property [11]; Rateable Property (Metropolis) [12]; Ecclesiastical Titles [13].

IMPORTATION OF FOREIGN SHEEP AND CATTLE.—QUESTION.

MR. HEADLAM said, he would beg to ask the First Lord of the Treasury, Whether Her Majesty's Government will take any steps to remove the obstacles that now impede the importation of Foreign Sheep and Cattle? Since he gave Notice of the Question an important change had been made in the regulations affecting the importation of foreign sheep. He would therefore ask the right hon. Gentleman who replied to state precisely the effect of the change, and whether foreign sheep were to be brought into a separate market? The new Order did not affect foreign cattle, and the obstacles to which he alluded were still in existence as regarded them and their reception at separate markets.

MR. W. E. FORSTER said, he could state exactly the effect of the existing regulations with respect to the importation of sheep. The Order in Council which had just been issued revoked an Order in Council which was issued on the 20th of August last year, and the Order of revocation would take effect from Friday next. Consequently, the importation of sheep would be placed in the same position as it was before the Order of August last. The effect of that

Order was that unless sheep arrived in the same vessel as foreign cattle they might be landed at any port where the landing of sheep was now permitted, that was generally at ports of entry; and, if upon examination they were found to be healthy, they might be removed or sold without restriction; but if they were imported in the same vessel with foreign cattle, they were subjected to the same regulations as those which affected foreign cattle. The Order of last August was issued in consequence of the Government being informed that the sheep-pox was at that time raging in Holstein, in Schleswig, and partly in Holland — countries from which we were in the habit of importing sheep. The Government were now informed that sheep-pox was confined within comparatively small bounds in North Germany, had probably disappeared in Holland, and did not exist in any other country from which we usually imported sheep. It was believed to exist to some extent in Italy and Russia; but that was comparatively unimportant, as our imports from those countries were very small. Since the 12th of October, 1868, no case of small-pox had been detected in any foreign sheep coming into this country; and taking that fact into consideration, and also the fact that in Northern Germany the Government regulations were very stringent, and a complete cordon was drawn round the infected districts, and further that the import of sheep into this country had been very much diminished during the operation of these Orders, the Government felt that the restriction could hardly be maintained any longer. From the 1st of September, 1867, up to the second week of February, 175,421 sheep were imported, and from the 1st of September, 1868, to the present date the number imported was only 97,927; and we knew that simultaneously with this reduction of imports the price of mutton had been rising. The Government was satisfied that the danger now was small compared with what it was when the restriction was imposed, and they therefore thought it right to take it off. With regard to the importation of foreign cattle the Government had now had an opportunity of looking at the Bill brought in by the noble Lord opposite (Lord Robert Montagu), because, although it had only just been printed, it was almost a verbatim copy of a Bill which the present Government found in the office. The Government did not feel that they could altogether adopt the arrangements of that Bill, and it was their intention to bring forward a Bill of their own, believing, as they did, that legislation upon the subject was still necessary, and believing also that it was desirable that that legislation should affect animals that might be suffering not merely from the rinderpest, but from other contagious diseases. This was the opinion of many gentlemen connected with the agricultural interests; and the Bill of the Government should be laid on the table before the date fixed for the second reading of the Bill of the noble Lord.

THE MERCANTILE MARINE.

QUESTION.

Mr. CANDLISH said, he would beg to ask the President of the Board of Trade, If he expects to be able this Session to bring in a Bill to consolidate and amend the Laws affecting our Mercantile Marine?

Mr. BRIGHT said, it was the intention of the Board of Trade to introduce such a Bill. The late Government took some steps towards putting the Bill into shape, and it was now in the hands of a draftsman. His hon. Friend knew that the Bill would contain an appalling number of clauses, and that the subject was one of great difficulty. It was therefore the intention of the Board of Trade, when the Bill was sufficiently put into shape, to submit it to a number of gentlemen who were interested in the question, and if possible to make it in some degree complete before it was introduced into the House, and at that time the opinion and advice of the hon. Member would be gladly received. The Bill would be laid on the table of the House in the course of the Session; but he should be sanguine indeed if he were to hope that it could pass this Session.

IRELAND—GRAND JURY LAWS.

QUESTION.

Mr. DAWSON said, he would beg to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to introduce during the present Session any measure for revising the Grand Jury Laws of Ireland, in accordance with the recommendations contained in the Report of a Select Committee of this House, which sat during the Session of 1868 on Grand Jury Presentments (Ireland)?

MR. CHICHESTER FORTESCUE said, he had prepared a Bill which would substantially carry out the recommendations of the Committee over which his hon. Friend the Member for Roscommon had presided. That Bill was in the hands of the draftsman, and if there should appear to be any prospect of passing it in the course of the present Session, he should be most happy to introduce it; but it was impossible that he could as yet give any promise upon the subject.

PARLIAMENT—THE EASTER RECESS.

QUESTION.

MR. HARDCASTLE said, he would beg to ask the First Lord of the Treasury, On what day it is proposed that the House should adjourn for the Easter Recess, and for what period?

MR. GLADSTONE said, the Government had not at present any absolute proposal to make to the House on the subject; but the putting of the Question afforded him an opportunity of stating an arrangement which had occurred to him as calculated to promote the convenience of hon. Members, and he would mention it in order that hon. Gentlemen might make their feelings known. We had this year a concurrence of two circumstances—we had a very late meeting of Parliament and a remarkably early Easter. It therefore occurred to him that it might be convenient to make a sort of exchange between the Easter and Whitsuntide vacations, by shortening the former and fixing the latter early and lengthening it in proportion, so as not to defraud the House on the general result, and to provide for a longer vacation, when hon. Members should have done more to earn it, and at a more congenial season, which would render it more enjoyable. Unless he had reason to suppose that this arrangement would be inconvenient and disagreeable, his impression was that in the course of a week or ten days he should make a proposal for its adoption.

REPRESENTATION OF THE PEOPLE ACT, 1867—REGISTRATION OF HOUSEHOLDERS.—QUESTION.

MR. EUSTACE SMITH said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government to take any steps towards clearing up the doubts which exist in the minds of many persons, and especially in those of Revising Barristers, as to what constitutes a house within the meaning of the Reform Act of 1867?

MR. GLADSTONE said, that when the matter was discussed in the course of the Session of 1867 it was found to be attended with very considerable difficulty, and it might be desirable that some further attempt should be made to clear up the law with respect to it. He had been informed that the records of the proceedings of the Revising Barristers during the last autumn would not afford them much assistance in that direction. That might be owing to the rapidity with which the work of the revision of the lists of voters had then to be conducted, and to the fact that in the course of the revision no point that could be avoided had been dealt with; and under these circumstances he thought it was a matter for consideration whether it would be wise on their parts to attempt to legislate further upon the subject during the present Session, or whether it would not be expedient that they should wait for the experience of the next registration, which would be carried on with the usual amount of deliberation. On the whole, he leant to the impression—although he did not mean to express any positive and absolute conviction—that it might be expedient for them to postpone dealing with that particular matter until another Session. He was still, however, ready to consider whether a different course should not be adopted, and whether, if the House should determine on making an inquiry into a number of points connected with our Election Law and the system of registration, it might not be desirable to include in the investigation the point which had been raised in the Question of the hon. Gentleman. That was a matter which remained entirely open.

ARMY—THE YEOMANRY CAVALRY.

QUESTION.

MR. NEVILLE-GRENVILLE said, he would beg to ask the Secretary of State for War, If it is the intention of Government to dipense with the services of the Yeomanry Cavalry; if not, whether they are to be called out for permanent duty this year?

MR. CARDWELL said, he was happy to be able to inform his hon. Friend that the Government had not formed any intention of dispensing with the services of the Yeomanry Cavalry; the usual provision for them would be found in the Estimates about to be presented.

CUBA—IMPRISONMENT OF A BRITISH SUBJECT.—QUESTION.

MR. CRUM-EWING said, he would beg to ask the Under Secretary of State for Foreign Affairs, If his attention has been called to the case of Alexander M'Niel, a native of Paisley, who has been confined in a damp prison in Cuba for several months on a charge made by a negro that he had been engaged in casting bullets and making lances for the insurgents, which he denied; and, whether he will take the necessary steps either to have the charge proved or to obtain his release?

MR. OTWAY said, that he had made inquiries on the subject, but he was sorry to say he had received no information as yet. He would communicate with Her Majesty's Consul General at Havannah with respect to it.

IRELAND—PARDON OF FENIAN CONVICTS.—QUESTION.

THE O'CONOR DON said, he would beg to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to advise Her Majesty that the Royal clemency should be extended to persons suffering imprisonment or penal servitude for offences of a political character in connection with Ireland?

MR. CHICHESTER FORTESCUE said, the important subject to which his hon. Friend's Question referred, had met with the anxious attention of the Government. They had felt it their duty to examine most carefully the list of prisoners now undergoing penal servitude on charges of treason and treason-felony, in connection with the Fenian movement. They had examined those lists with a view to a ascertain whether, in their judgment, the clemency of the Crown could be extended to any of those persons. The general result of that examination had been this—that among those prisoners there were some who might, with perfect safety to the public peace, be discharged forthwith. The class of prisoners to whom he referred might be described as partly young men, hot-headed men, who were led in an excited moment into criminal acts, for which they were now suffering; men, some of whom might be described as the dupes and tools of others; men incapable, as far as could be ascertained, of doing mischief hereafter as leaders in any future insurrectionary attempts. The number which the Government believed to come under such a description, and whom they thought might safely be discharged, was not inconsiderable. He would tell the House the number exactly as they now stood. Excluding the military convicts, whom the Government held to be in a very different position from the others, and whose cases had not been taken into account—excluding the military convicts, there were eighty-one prisoners under sentence of penal servitude. Of these forty-two were now in Australia and thirty-nine in Great Britain. It was proposed—acting on the rule that he had described, and which had been rigidly applied by a very close scrutiny into the case of each prisoner on the list—it was proposed that of these, forty-nine should be unconditionally discharged. Of these forty-nine there were now thirty-four in Australia and fifteen in Great Britain. That would leave thirty-two prisoners still to undergo their sentence, of whom nine were in Australia and the rest in this country. But he should tell the House that this list of thirty-two prisoners included almost all the main founders, leaders, and organizers of the Fenian movement; it included men who were deeply responsible for the attempted revolution of the last two or three years, and men whom the Government and the Lord Lieutenant felt it would not be consistent with their duty to discharge, or whose freedom would be compatible with the public safety—men, he might add, with regard to whom the Government had no reason to believe that they might not, if discharged, attempt again to renew their unhappy and criminal, although desperate enterprize, and to whom, therefore the Government, while rejoicing as they did, and as Lord Spencer did, that they had been able to reduce the list so largely, felt that the clemency of the Crown should not be extended.

MR. GATHORNE HARDY asked, whether the prisoners to be liberated in Australia would be left there or brought back to this country at the expense of the Government?

MR. CHICHESTER FORTESCUE said, he would prefer answering that Question to-morrow.

THE CONVICT GEORGE ROBERTS.

QUESTION.

SIR GEORGE JENKINSON repeated the Question he had asked the Secretary of State for the Home Department on Friday, as follows:—Whether he has seen a statement in the police report, as reported in *The Times* of the 17th instant, to the effect—

> "That at the Southwark Police Court a man named George Roberts, aged sixty-five, was charged on remand with being in the area of a certain house for the purpose of committing a felony; that further evidence was given by Richard Kemp, one of the warders at Wandsworth, who said that the prisoner was one of the oldest burglars in England, many years ago he was cast for death, and that sentence was commuted to transportation for life; that he received a ticket of leave, and had since been twice transported for life, and liberated with license; that at the September Sessions of the Central Criminal Court in 1866 witness was present when prisoner was tried for burglary, and sentenced to eighteen months' hard labour, and that he believed that he had since been convicted in the country. Mr. Burcham sentenced him to three months' hard labour for being in enclosed premises for an unlawful purpose."

Whether that statement, as reported, represents the facts accurately; whether, if accurate, those facts are in accordance with, or contrary to, the existing state of the Law; and, whether in either alternative he has taken, or proposes to take, any steps to remedy such an anomalous and extraordinary state of things?

MR. BRUCE said, that a few minutes before leaving the Home Office, he received the result of inquiries which had been made into the matter. The statement to which the hon. Baronet referred was not strictly accurate. Although the history of the prisoner was sufficiently eventful, it was not true that he had been sentenced to death, or that he had been twice transported for life, or that he had ever received a ticket of leave. He had been first convicted in 1837, not for burglary but for stealing in a house; and a sentence was passed upon him—which was not unusual at that period—namely, of transportation for life; in 1842 he was found in England under another name, having escaped from the colony, and was again sentenced to transportation for life. He escaped a second time, and was found in England in 1851, again with another name, and sentenced to fourteen years' transportation. It appeared he had worked out that sentence, because the next record of him at the Home Office was in 1866, when he was convicted and sentenced to be imprisoned for eighteen months for a burglary. Of course, his previous sentences to transportation were not known at this time. Since then he had been twice brought up as a vagrant, and received each time a sentence of a month. It was obvious that upon the last occasion the sentence of fourteen years would have made no difference in his punishment; but the fact that he had escaped was altogether unknown until the statement was made by the warder. The story was a remarkable one; but he was desirous that the House should understand that this man had never received a license, and that his successive escapes were due to himself and his own merits, and not to the neglect of the Home Office.

THE CONVICT RICHARD BONNER.

QUESTION.

MR. WALTER inquired of the Home Secretary, What answer he had made to a memorial forwarded to him from the Justices of Berkshire containing the following curious statement:—

> "That in the year 1831 one Richard Bonner was tried and convicted at Oxford, and sentenced to fourteen years' transportation; that at the Oxford Lent Assizes, in the year 1851, the said Richard Bonner was tried and convicted of highway robbery, and sentenced to transportation for life; that, in 1863, the same Richard Bonner was convicted at the borough of Reading, and sentenced to two years' imprisonment; that, at the expiration of such last-mentioned term of imprisonment, the said Richard Bonner, having been previously officially reported as a license holder, was sent back to Millbank Prison, but, notwithstanding this, he was again (in 1868) convicted of crime in this county, and sentenced to six months' imprisonment, and again, at the expiration of that term, sent back to Millbank Prison. Your memorialists submit, that, independently of the social aspects of the case, it is a hardship upon the county of Berks that the convict in question should have been a burden upon it for the space of two years and six months after he had been sentenced to transportation for life as above set forth?"

MR. BRUCE said, he would read the

answer he had forwarded to the memorial; it was as follows:—

> "The burden of maintaining a license-holding convict during his term of imprisonment for an offence committed while he is at large is imposed by the existing law upon the county in which his conviction took place. Unless sentences for life are to be absolutely, and under all circumstances, irremissible, the hardship of which the Justices complain must occasionally occur. Previously to 1864 the punishment of transportation or penal servitude for life was inflicted more frequently than at present, and the liberation of life-convicts on licenses, after twelve years' imprisonment, was not unusual. Since 1864 the sentences of life imprisonment have only been passed in the gravest cases, and by a regulation made by Sir George Grey in 1866 the minimum time at which each case could be considered, except under special circumstances, was twenty years. Each case would then be considered on its own merits. The case of Richard Bonner suggests a reasonable doubt whether a convict for life who while at large on license commits a fresh offence, thereby proving that he is unreclaimed and irreclaimable, ought ever to receive a second license."

It was worthy consideration whether where a man on ticket of leave had been convicted of a subsequent offence it ought not to be in the power of the Judge to re-commit him at once to Millbank, or one of the Government convict prisons. But, as the public interest was very much alive to this subject, it might be well to explain why he considered that there might be special circumstances under which a person sentenced for life might have his sentence occasionally revised. A case which had occurred within the last few days would illustrate some of the difficulties under which a Home Secretary was placed. On the same day a petition reached him praying for remission of part of the sentence in the case of two persons who had been convicted for precisely the same offence, which was an attempt to murder. The attempt was deliberate, and in each case there was a narrow escape. The offenders were persons not previously criminal, but were moved to this violent action by jealousy. They were tried by different Judges, and one man, who had attempted to murder his wife, received a sentence of penal servitude for twenty years; the other, who had attempted to murder a man of whom he was jealous, was sentenced to imprisonment for life. With respect to the person who had been sentenced to twenty years, in the ordinary course of events, he would receive a license after fifteen years and four months, provided his conduct had been good. But, if that were so, it was quite clear that the other person, who had been committed for life for a similar offence, ought to have his case considered. It was obvious, therefore, that there must occasionally be circumstances which would induce a man of upright feeling, in the position which he had the honour to hold, to remit some portion of a sentence for life.

CRIME PREVENTION BILL.

OBSERVATIONS.

Mr. BRUCE said, he wished to take that opportunity of stating that it was not his intention to proceed that evening with the Bill which he had given Notice of his intention to ask leave to introduce. Her Majesty's Government had taken into consideration the representations which had been made in both Houses with regard to a division of labour, and it had been thought most convenient that this Bill should be introduced into the House of Lords, where his noble Friend (the Lord Privy Seal) would, in the course of a day or two, bring it in.

THE QUEEN'S SPEECH.

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.—OBSERVATIONS.

Mr. GLADSTONE: Sir, some days ago this House determined to avail itself of an opportunity of testifying its loyalty and affection to the Throne by unanimously passing a Motion that the Address in answer to the gracious Speech from the Throne should be presented to the Sovereign by the Whole House. But on Friday evening I received a communication from Her Majesty at Osborne, in which Her Majesty expressed her deep concern — in truth, she used a stronger expression — that the serious — indeed, the alarming—illness of His Royal Highness Prince Leopold rendered it impossible for her to quit him, and placed it out of her power to name any period when she could receive the Addresses of this and the other House of Parliament. I, at the same time, received a communication from Sir William Jenner, that the complaint under which His Royal Highness was labouring was the same as that which, on one or two former occasions, had placed the life of His Royal Highness in extreme jeopardy. This illness, Dr. Jenner explained, was such, that it was impossible to predict what course it would take; and, as the medical adviser of Her Majesty, he could not recommend that any plans could be then formed for Her Majesty's quitting Osborne, nor could he name a time when such plans could, with confidence, be entertained. Sir, under these circumstances, I felt it my duty to make a communication to the House, and I came down for the purpose; but, unfortunately, I believe the House had within five minutes before closed its Business and adjourned. These communications were followed on Saturday by others to the same purport, stating that, though all things were going on favourably, yet the matter being a critical one, and circumstances remaining the same, it was impossible for Her Majesty to name a day for the purpose of receiving the Address, and in consequence she was obliged to abandon the hope she had entertained of receiving it in person. Under these circumstances, it is my duty to move that the Order which was made by this House on a former day be discharged, with a view to the Address being presented in the manner which is usual in reply to a Speech delivered by Commission.

Motion *agreed to.*

POLITICAL PENSIONS FOR CIVIL OFFICES.—RESOLUTION.

Resolution *considered* in Committee.

(In the Committee.)

MR. GLADSTONE: Sir, I rise to propose a Resolution for leave to bring in a Bill to amend and extend the provisions of certain Acts relating to what are commonly known as political pensions, and the object of this Motion particularly is to bring under the consideration of this House certain alterations which we think might with advantage be made in the Act by which political pensions are regulated—an Act passed in 1834. Before that period the subject of political pensions was one which caused much difficulty and dissatisfaction. There was no rule applicable to them, and transactions of an irregular character, and which were not governed by any law or system, were continually occurring. The period of the Government of Earl Grey was probably among the very best in our history so far as regards the mature consideration which was then given to administrative questions and the amount of sagacity which was brought to bear on them, and the Act of 1834, which laid the foundation both of a superannuation system and of a method for the regulation of political pensions may, I think, deservedly be regarded as an Act of high authority. But, of course, with the changes of circumstances, it will naturally occur that a measure of that kind is found in process of time to require amendment, and Parliament has thought it wise upon a later occasion to develop and otherwise to alter this portion of the Act which relates to pensions affecting what is commonly called the permanent Civil Service, for the sake of distinction from that portion of the Civil Service which is political. I now propose, after the experience of thirty-five years, certain changes in those clauses of the Act which relate to political pensions. Thirty-five years is, indeed, no short period for the consideration of such an Act, and the alterations of our arrangements which have occurred in that period—I mean our arrangements with reference to the organization of the Government—have been very considerable. There are two points to which the alterations I propose will apply. In the first place, there is in the Act of 1834 a certain mixture of non-political with political pensions. The second Secretary to the Admiralty, and all the Under Secretaries of State, whether political or non-political, are placed on one and the same footing as to pensions, and difficulties have arisen in certain cases in the administration of the Act with respect to some officers of that class which it is manifestly desirable to obviate for the future. With respect to the system of pensions established by the Act, the House may be aware that it is peculiar in many respects; but when I so describe it, I do not mean on that account in the slightest degree to disparage the provisions of the Act. The Act, however, takes a view essentially different—and in that respect I think it is quite justified—of the position in regard to pension of the political officer and of the civil officer who is not political. The civil officer who is not a political officer is presumed, after his term of service (subject to the conditions of the Act, and on the supposition of his good conduct) to have a right to a pension. The political officer however is not presumed by the Act to have anything that can be called a right to a pension. The political pensions which are contemplated by the Act appear to have been intended by the Legislature to prevent the public inconvenience which might arise from the discouragement of men of capacity, but not of great fortune, from engaging in the public service if this were to happen, that those who had been called to fill certain stations, and to hold a certain social rank as servants of the Crown, were, after filling those offices with the various responsibilities attached to them, and possibly after conferring great services on the country, to be left in such a condition, by no fault of their own, but it may be in consequence of their own self-denial in devoting themselves to the public service, that they might be destitute of adequate means for supporting their social station. For this purpose the provisions of the Act were framed, and on this principle. In the first place, there was a limitation of the amounts of pension which might be given by the Act, according to the ranks of the offices to which they referred. In the second place, there was a limitation of the number of years during which any person must have served in order to qualify and obtain eligibility for pension. In the third place, there was an absolute limitation on the number of pensions which might be granted and might be in force at any one given period in the different classes established by the Act. In the fourth place, there was a limitation, which was likewise absolute, that no political officer could take a pension under the Act except after having made a declaration to the effect that it was necessary with a view to that reasonable support of station which the Act contemplated as desirable. And, in the last place, there was this condition, that the pension, subject to all those prior stipulations, should be granted at the discretion and upon the responsibility of the Executive Government of the day. As respects these conditions, I do not propose to alter the root or basis of any one of them. There might, I think, be some modification in a portion of them, which would tend, however, rather to the reduction than to the augmentation of the number of pensions contemplated by the Act. The bearing of those conditions upon one another, numerous as they are, constitutes a subject that is rather complex, on which it will not, I think, be possible for the Committee or the House to form a judgment until a Bill is printed and placed in their hands. But the main reason for an alteration of that portion of the Act which refers to political offices is this, that it is quite evident that, in the intention of the Legislature, the Act was meant to apply, upon an equable principle, to all offices and all political officers who stood substantially in the same position. Now, since the Act was passed, the changes have been so numerous that that object is no longer gained. Many offices which then existed now exist no longer, and many which now exist have been brought into existence since the passing of the Act, and consequently do not fall within its provisions; and the main rectification which I propose to attain by the Bill I shall ask leave to bring in is, while we strike out of the Act those offices which no longer exist, and which were placed into it at a former period with reference to the circumstances then existing, that there shall be introduced into the Act other offices which did not then exist, and possibly also in some cases one or two offices which did then exist, but which, on account of some special considerations perhaps not well understood, were not included in the Act, so that the candidates for those offices—the list of possible candidates for them—will undergo some change while the conditions of obtaining pensions will, in the main, remain the same, although in certain points it may be desirable to modify them. Now, this is a subject with regard to which it is the duty of the Executive Government, having, as they have, a knowledge of the administrative departments of the country and their relations, frankly to lay their views before the House at a period when they think the time is suitable for legislation and that an adequate necessity for it has arisen. Therefore, instead of merely asking the House itself to examine the question, I shall propose to place before it the changes which the Government think might reasonably and properly be made. Nor do I think that the House will find that there is any reason to object to the spirit in which those changes have been conceived. But while I hold that the Executive Government ought not to shrink from its ordinary and proper responsibility in submitting its views on this matter to the House, I must say, on the other hand, that on this question of all others it would be most repugnant to the intentions and opinions of the Government that anything like pressure or authority should be brought to bear by them for the purpose of inducing the acceptance of those views by the House. Every question in one sense, but especially questions relating to pensions and superannuation, and most of all questions relating to pensions available for those who have served in political offices, ought to be determined by the independent and impartial judgment of the House itself. Therefore, we shall in the first instance invite the scrutiny of the House into our views by laying this Bill —if I am permitted to make the Motion —on the table; in the second place, I shall take care that ample time is afforded for its consideration by the House before the House is called upon to give any sanction to its principle by a second reading. And when the second reading shall have been passed—if the Bill so far meets the approval of the House—we shall be desirous to invite the concurrence of the House in any mode of considering its provisions in detail which may be suggested or may appear to be generally convenient. I think, Sir, that these remarks are all that are necessary to introduce the Resolution which I am about to move. The Resolution has been drawn up in terms formally and technically correct, and begins with the words "That it is expedient to amend and extend the provisions" of certain Acts; but after what I have said, the House will understand that it is for technical reasons that the word "extend" is contemplated, rather than because we in any way intend or endeavour to render eligibility for political pensions more easy of access. The right hon. Gentleman concluded by accordingly moving a Resolution declaring it expedient to amend and extend the provisions of the Acts in question.

Resolution *agreed to.*

Resolved, That it is expedient to amend and extend the provisions of the Acts 57 Geo. 3, c. 65, and 6 Geo. 4, c. 90, enabling Her Majesty to recompense the Services of persons holding, or who have held, certain high and efficient Civil Offices, and of the Act 4 and 5 Will. 4, c. 24, regulating Pensions, Compensations, and Allowances to persons having held Civil Offices in Her Majesty's Service.

Resolution to be reported *To-morrow.*

MOTION FOR SUPPLY.

Committee on Motion, "That a Supply be granted to Her Majesty."

QUEEN'S SPEECH *referred;* Motion *considered.*

(In the Committee.)

QUEEN'S SPEECH read.

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be reported *To-morrow.*

RATEABLE PROPERTY (METROPOLIS) BILL.—LEAVE.—FIRST READING.

MR. GOSCHEN, in rising to move for leave to introduce a Bill to provide for uniformity in the Assessment of Rateable Property in the Metropolis, said, he thought there was no Member of that House who would not approve the general scope and object of the Bill, which provided that where there was a common charge there should be a uniform assessment co-extensive with the area of that charge. Now there were in London a large number of different rates assessed over the whole metropolis, and no one would dispute the advantage of having a uniform assessment over the whole of that area. But there were also other improvements which he hoped would be effected by the Bill. Hon. Gentlemen were doubtless aware that the Union Assessment Committee Act of 1862 applied only to unions, and that the separate parishes in the metropolis, existing side by side with those unions, were not affected by it, and consequently did not enjoy the advantages conferred by that Act, which was introduced by the right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers). It was proposed by the present Bill to direct the twenty-two separate metropolitan parishes to establish Union Assessment Committees, so that the first effect of the measure would be to put those parishes on the same footing with the seventeen unions. There was, however, a further object which he hoped would be accomplished by the Bill. At present a number of rates were levied in the metropolis on separate bases. These were the police rate, the poor rate, the county rate, the rate for the Metropolitan Board of Works, and the rate for the new Metropolitan Asylums Board. The Bill proposed to place all these rates on a uniform footing, and, if possible, to establish one basis for local and Imperial taxation in the metropolis. In fact, the object was the same as that which the right hon. Gentleman the late Chancellor of the Exchequer (Mr. Hunt) aimed at in his Bill as applying to the country at large, though the metropolis was exempted from the operation of that measure. The Bill of the right hon. Gentleman did not pass into law in consequence, he believed, of its having been introduced at a late period of the Session; but it was subjected to the scrutiny of a very able Committee, and much improved by the process. That Bill contained another valuable provision with regard to the definition of gross estimated rental. Great confusion arose from the various methods in which the rental was made up by different union assessment committees and by the separate parishes in the metropolis. Not only was there the greatest variety with regard to the deductions allowed, but also with regard to the manner in which they arrived at gross estimated rental. Consequently a great grievance was inflicted upon certain classes of occupiers, such as weekly tenants, for instance. In some unions the gross estimated rental was the aggregate amount of the weekly rents, while others contended that this was contrary to the law, which directed that the fair annual value of the house should be taken. This state of things might, in his opinion, be remedied by introducing a better definition of gross estimated rental in the present Bill, which, he might remark, contained no new principle whatever, but merely sought to carry out the principle of the Union Assessment Committee Act, that, where there was a common charge, common valuation lists must be established on the same basis; and the Valuation of Property Bill of 1867, which through the pressure of business did not pass, was really the foundation of the present measure. When the right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy) introduced his Metropolitan Poor Bill of 1867, of which they heard so much in London at present, he stated his views very clearly with regard to the necessity of having a common valuation of property in the metropolis. On the second reading of the Bill the right hon. Gentleman remarked—

> "Great stress has been laid on the evils which will result from placing those charges on the Common Fund, owing to there being no system of uniform valuation in the metropolis. I feel that point, and consequently I have endeavoured to meet the difficulty by Clause 62—
>
> "'The Poor Law Board shall from time to time assess on the several unions and parishes in the metropolis the amounts of their respective contributions to the Common Poor Fund in proportion to the annual rateable value of the property therein comprised, to be determined according to the valuation lists, or, where there are none, according to the latest poor rate for the time being for the union or parish, or otherwise, as the Poor Law Board from time to time direct.'
>
> "It is quite true that we do not always know on what system a union or parish is assessed for Poor Law purposes; but the assessments for the Metropolitan Board and for the police rate we know are on the best available basis; and the Poor Law Board, in making an assessment, will be able to do as is done in counties. Though the assessments in the various unions of a county may be on different systems, the counties levy a rate on their own assessment, which is made on a uniform system throughout the whole county. So far, therefore, as it can be done, we have endeavoured to meet that objection by a clause in the Bill; but I propose to do more. My hon. Friend the Secretary for the Treasury (Mr. Hunt) has brought in a Bill to provide a uniform scheme of assessment for the whole country, with the exception of the metropolis. I will wait to see what is done with that Bill; but I have sketched a Bill for the metropolis, which I propose to introduce if my hon. Friend's should receive the sanction of Parliament."—[3 *Hansard*, clxxxv. 779.]

That Bill did not, however, receive the sanction of Parliament, because there was not sufficient time to pass it that Session, but he might say that the House generally accepted the principle that it was necessary to establish uniformity of assessment. The only question which could arise was whether it was expedient to proceed to deal at once with this particular part of the machinery of local taxation—a machinery which in many other parts required to be altered. No doubt the whole system of our local taxation was full of every kind of complexity and difficulty, but still he thought this particular part was one which might be dealt with separately. It was indeed a matter of urgency, and he therefore trusted the House would pass the Bill as quickly as possible if he could show, as he believed he could, that considerable hardship and injustice were at the present moment arising from the want of such provisions as were contained in the Bill which he asked for leave to introduce. With regard to the country generally, the principal, though not the only, rate which extended over the whole county was the county rate. But that was not the case in the metropolis. They had in the metropolis a number of different charges. There were the police charges, the Metropolitan Board of Works rate, and the new rate imposed by the Bill of the right hon. Gentleman the Member for Oxford University. It was probable that additional charges would be put on the metropolis, and he thought the House would be in favour of distributing the burdens imposed on the metropolis over large instead of small areas. The Bill introduced by the right hon. Gentleman opposite was most valuable in this respect. That measure had been very much criticized, but he hoped to take an opportunity before very long of telling the House what had been done under it, of correcting some exaggerated statements which had been made as to the expense incurred, and of satisfying the ratepayers in the metropolis generally that the burdens imposed upon them would not be so great as some of them anticipated. It was obvious that there must be a further progress towards the equalization of the rates, and he scarcely thought the House would consent to the equalization of rates unless some machinery were devised to control the local management of a portion of the general expenditure, by which he did not mean Imperial expenditure, but the more central metropolitan expenditure as compared with the expenditure in separate parishes. The common charges in the metropolis were on the increase. Taken roughly, there was the police rate of about 6*d.* in the pound, the county rate of 4*d.* in the pound, the Metropolitan Board of Works rate from 6*d.* to 7*d.* in the pound, and the rate for the Common Fund, which is about 5*d.* in the pound. These items together amounted to about 1*s.* 10*d.*; and if they reached 1*s.* 11*d.* they would represent a sum of £1,500,000. Nearly that sum was now raised over the whole area of the metropolis, but the present system of raising the money was full of anomalies, injustice, and inequalities. These rates were raised according to different principles. The two leading rates were the county rate and the poor rate. Until a week or two ago there had been no revision of the county rate in Middlesex since 1864, and, generally speaking, the rate was not revised more frequently than once in five years. And here he wished to point out that, on the basis of the county rate as settled in 1864, various new charges had been imposed on the unions and separate parishes in the metropolis. The Metropolitan Board of Works levied its rate according to the county rate basis. The police rate, too, was levied on the same basis, and it was another anomaly that it was collected with the poor rate. The new rate for the Common Fund of the metropolis, on the other hand, was levied on the basis of the poor rate; and there being no equality between the two, it resulted that if the county rate were adopted as a basis injustice would be done to a certain number of unions, while other unions would suffer if the poor rate principle were adopted. He would mention one or two instances which showed the utter want of system in regard to these rates. In the first place, it must be remembered that the metropolis was subject to four jurisdictions in reference to the county rate—namely, Middlesex, Kent, Surrey, and the City of London. In these jurisdictions the county rate was made by different bodies and on different principles, though it nevertheless formed the basis of what might be termed the common operations of the metropolis. Take the case of Poplar, for example. There the valuation list for the poor rate was £473,000. The valuation for the county rate was £344,000, and if that valuation was too low, Poplar was not paying its fair share towards the expenses of the Metropolitan Board of Works. If, on the contrary, the valuation for the poor rate was too high, it was charged more than its fair share towards the common relief of distress. The fact was that there were different Boards, levying rates on different principles, and the consequence was that the valuations did not agree. In Middlesex there were eight unions, and the county rate valuation which had been in force until very recently was £2,600,000, while the poor rate valuation was £2,900,000. In the four Surrey Unions the county rate was £889,000, the poor rate valuation £944,000. The revision of the county rate, however, which had just been made had effected a great difference, because the county rate, instead of being £500,000 below the poor rate, had become higher by £500,000 or more. He thought he had said enough to show that the whole system of rating, so far as valuation was concerned, was in a state of great confusion, and for that state of things he saw no remedy except to establish uniformity of assessment among all the unions, and for all the various rates that had to be raised. In establishing that uniformity in a case where so large a number of local authorities existed as were at present to be found in the metropolis there were no doubt considerable difficulties to be encountered, but with the assistance of the House he hoped those difficulties might be overcome. Another grievance under which many unions laboured, independent of their being taxed upon an erroneous basis, was that loans were contracted on the security of the rateable value of the property in separate parishes, and the instalments payable for thirty years to come placed upon a faulty foundation. The instalment did not shift with the rateable value, but was fixed, and the consequence was that loud remonstrances were made against permitting such a state of things to continue. Most of the deputations which had waited on the Poor Law Board on the subject were from the poorer parishes, where it had been found necessary to screw up the valuation to the highest possible point. In parishes like St. George's, Hanover Square, no temptation to do that existed. The temptation, if any, was, on the contrary, the other way, because the lower the inhabitants were assessed in comparison with their neighbours, the higher would the rate in the pound appear which they would have to pay. A revision of the assessment in the parish of St. George was, he believed, in progress at the present moment. It had been stated in electoral and other returns that the usual difference there between gross estimated rental and rateable value was 10 per cent; but any hon. Member who lived in the parish must, he thought, be aware that the difference between the actual rent paid and the assessment to the relief of the poor was something very unlike 10 per cent. He knew a house in the parish of St. George which was assessed at £600 for the house duty, and not higher than £370 for the county and poor rates. The system of assessment being thus faulty, it would, he felt assured, be admitted that a case for immediate legislation on the subject had been made out. The simpler the organization, and the fewer the novelties introduced with a view to provide a remedy, in his opinion, the better. He had been informed that if valuation lists for the entire metropolis were to be made out *de novo*, five years at least must elapse before they could be completed. So long a delay was, in his opinion, very undesirable. The principle on which he desired to proceed was to secure uniformity of assessment, and that was to be done by two, or he might say by three means. In the first place, he would give all the unions a *locus standi* among themselves, so that one union might be able to appeal against the valuation of another. That was the principle of the valuation of property which had been introduced by the right hon. Gentleman the Member for the University of Oxford in 1867, and it seemed to him to be the proper principle on which to proceed. But, before the unions were brought together as he proposed, assessment committees must be established in those separate parishes in which none now existed, the number of which was twenty-two. One of the advantages of these parishes having regular assessment committees would be that the ratepayers in those parishes would be placed on the same footing as the unions, and would be afforded an opportunity of inspecting the valuation lists, which would be deposited in certain places. That would be quite independent of the general advantage of bringing the unions together. It was, he might add, astonishing to find to what an extent separate parishes had been able to exempt themselves from the operation of the general law. There were a large number of local Acts which stood in the way at every step. The Poor Law Amendment Act of 1844 contained a special exemption of parishes with a population of over 20,000 from its operation, unless with the consent of two-thirds of the guardians, and the rights of separate parishes were reserved as regarded the relief of the poor. Those parishes, of course, escaped the operation of the Union Assessment Act, because they were not unions, but they came to a certain extent within the scope of the general law under the Bill of 1867, which empowered the Poor Law Board to amalgamate them together. They still however remained excluded from the operation of the general law so far as the levying their own rates and the making their own assessments were concerned; but he thought that could be no possible objection to the establishment of union assessment committees in these parishes, such as existed in all the unions. The next thing to be done after the establishment of separate assessment committees was to bring them together for the purpose of uniform assessment. What he should propose, then, in the first place, was to have representatives from the assessment committees, who should be able to meet together to decide on a common basis of action in regard to valuation, subject to the regulations laid down in the Bill. There had been various proposals with reference to an Assessment Board for the metropolis. It had been proposed that the Metropolitan Board of Works should be appointed an Assessment Board; that the Central Sick Asylum Board should be appointed; and that the justices should form the Assessment Board. It appeared to him far better to follow the general line of the Valuation of Property Bill—that each union assessment committee should elect its own representative; and thus to carry out as between unions the principle that had already been carried out as between parishes. In this way they would obtain a Central Assessment Board for the metropolis. He proposed that a scale of deductions should be inserted in the Bill, because he thought that such a scale was necessary if they were to arrive at anything like uniformity of assessment. At present the deductions in some unions were from 20 to 30 per cent, while in others, without any apparent cause for the difference, they amounted to only 10 per cent. The Government had given considerable attention to the question, whether it was possible to lay down anything like a general system of deductions, and they had arrived at the conclusion that by naming a maximum amount of deductions and giving the unions a discretionary power below that maximum, it was possible to do so in a satisfactory manner. That principle would be acted on in this Bill. As to appeals by one union against the assessment made by another, he thought that if the appeal were to the Central Board it would be necessary to give an appeal from that Board itself, because it would be composed of interested parties. A multiplicity of appeals would lead to complication, and he was of opinion, therefore, that it would be more desirable that the Central Board should have a paid assessor, who would act as judge in appeals from one union against another. He hoped that the valuation which would be made under the new system would be the basis, not only of the poor rate but of the taxation levied by the Metropolitan Board of Works, the house tax, and, in fact, of all other taxes. It would be necessary to give the surveyor of the taxes and the Metropolitan Board of Works power to appeal against the assessment made by a union. Each union would make its own assessment, as at present, and would be required to revise its valuations at stated periods; but each union would have power to make an appeal against the total of the assessment of any other union. The power of appeal by one union against another would only be as regarded the totals. He believed that the effect of giving this power of appeal would be to insure great uniformity without a resort to the process of appeal being actually had recourse to in any considerable number of cases. When it was laid down that the surveyor of taxes would have a right to appeal against the valuation of any hereditament, and that the several unions would have the power of appeal to which he had just alluded, each union would be interested in bringing the valuation up to a proper figure. When the Bill was laid upon the table the House would be better able to judge of the machinery by which, it was hoped, uniformity of assessment would be secured. He wished to say one word as to gross estimated rental in connection with weekly tenants. Those tenants represented that in many instances they were suffering a great grievance in consequence of the present want of system. Memorials had been presented on the subject, and it had been suggested that a case should be brought in a Court of Law. Hon. Members might have seen from the report of proceedings in connection with Sir Sydney Waterlow's association for improving the dwellings of the industrial poor, that the way in which an Assessment Board had acted was to look at one block of buildings, the apartments in which were let at various weekly amounts, reckon up all these several sums, multiply the aggregate number of shillings by fifty-two, and say that the sum thus obtained was the gross estimated rental of the block. It was stated that, owing to valuations being made in that way, and to the abolition of the compound householders, the rateable value of weekly tenements had been raised by no less than 40 per cent. The difference in respect of value between weekly tenements and yearly ones was so clear that it was, he thought, possible to lay down some definition so as to avoid the hardship to which he alluded. Owing to the arbitrary proceedings of the assessment committees, and the difficulty of appealing, it was not easy for weekly tenants to obtain justice in this respect. He was glad that the increase of taxation in the metropolis was now engaging so much public attention, because this attention would lead to a more rigid supervision of the outlay. With a view to justice and economy in that taxation, he now asked the House to agree to his Motion that leave be given him to bring in a Bill to provide for uniformity in the Assessment of Rateable Property in the Metropolis.

MR. GATHORNE HARDY said, that the right hon. Gentleman the President of the Poor Law Board was correct in stating that it had been his intention, when at the Poor Law Board, to propose a measure having for its object what, of course, was the object of the Bill which the right hon. Gentleman now asked leave to introduce. In fact, it must have been the intention of those who placed on the metropolis the charges imposed by the Bill brought in by the late Government, that those charges should be raised on a uniform basis. It was quite clear that the principle of the right hon. Gentleman's Bill was a just one, and any question that might arise must be as to the framing of the Bill. He could not give any positive opinion on its details till he saw them in print; but it appeared to him that the right hon. Gentleman had endeavoured to follow the plan of the Bill brought in by his right hon. Friend (Mr. Hunt) the year before last. It appeared to him that the great thing at the outset was to obtain suitable bodies to lay down the basis of rating. He would observe that in a Board made up of representatives of the same parish there would not probably be mutual check and supervision to the same extent as there existed in a Union Board made up of representatives from several parishes; but the presence at the Central Board of the representatives of the surveyor of taxes, and other authorities besides the unions, might perhaps afford a security that the valuation in the various unions would be brought up to the proper amount. It was very desirable that there should be uniformity of assessment in the metropolis. The question of metropolitan taxation was a very serious one; and no doubt it would have to engage the attention of his right hon. Friend the Secretary of State for the Home Department when next year, as he proposed, he should set about providing a new Government for the metropolis. As in a Bill such as that now proposed everything depended on details, he thought it would be more advisable not to discuss it until after it had been printed and placed in the hands of Members. In its principle it should have his hearty support.

MR. ALDERMAN LAWRENCE said, he was of opinion that the inhabitants of the metropolis were greatly indebted to the President of the Poor Law Board for introducing the measure under discussion at this early period of the Session. He was glad to find that there was a prospect that they would now obtain a uniform and equitable assessment. The present system, under which different parishes had different modes of assessment, resulted in great injustice. He thought that a common basis should be formed upon which every tax, whether for local or Imperial purposes, should be levied, and that the system of assessing quotas on the parishes by the unions for poor rates, by the counties for county rates, and on the various districts of the metropolis by the Metropolitan Board of Works for drainage, &c., ought to be abolished, as it involved great inequality of taxation. He considered that the time had arrived when the exemption from taxation enjoyed by certain favoured districts—such, for instance, as the Temple, and the other Inns of Court—should be abolished.

MR. BRODRICK, on behalf of the large constituency (Mid Surrey) affected by the measure, as within the metropolitan area, which he represented, tendered his thanks to the right hon. Gentleman for introducing this Bill at the commencement of the Session. The measure was the legitimate corollary of that introduced, but from various circumstances not carried to a successful conclusion, by the late Government. In many of the parishes immediately adjoining those within the metropolis were to be found great numbers of the working hands of the metropolis, and with scarcely an exception no large landed proprietors or householders. The result was that the very serious burdens already borne by those parishes were daily increasing. Nothing could be more anomalous than that while in some of those parishes, especially in the southern districts, the valuation upon which they were assessed for the metropolitan rates amounted to the full value of the rack rental, in the most wealthy metropolitan parishes, such as St. George's, Hanover Square, that valuation did not, in many instances, exceed 50 per cent of the amount of the rack rental; so that even the low rating in this last parish formed no adequate measure of the difference of burden as between it and less wealthy parishes. Looking to these facts, no doubt could be entertained that sooner or later a uniform system of rating must be adopted. It was just a moot point whether it might not ultimately be desirable to adopt the contributory principle, which had been found to work so admirably at the time of the Lancashire distress. The adoption of such a principle would not in any way prevent a uniform basis for taxation being agreed upon. Should the right hon. Gentleman succeed in carrying the present measure to a successful conclusion, much more good would flow from it than he ventured to anticipate would result from several other measures which had taken a far more prominent position in the Government programme.

MR. LOCKE said, he had been unable to ascertain from the explanation of the right hon. Gentleman whether it was proposed that a fresh valuation should be made for rating purposes. As such a valuation would be attended with great expense, many parishes might be unwilling to agree to such a proposal. This was a very important question; because he did not see how the various proposals contained in the Bill were to be carried out, unless each parish were accurately valued. At the present time, when a parish was rated by itself, it did not much matter whether the valuation was correct or not, as the worst that could result from an inaccurate valuation was that a ratepayer might have to appeal against the rate. When, however, all the parishes came to be rated together it would be highly important that they should be fully valued in order to secure a fair distribution of the burden of the rates. He did not know exactly what were the views of the right hon. Gentleman upon the subject, but in his opinion the most important question connected with the rating of the metropolis was that of the equalization of the poor rate. They all knew that a most inadequate amount was levied in the rich parishes in comparison with the poor ones; and this difference was much aggravated by the fact that in the poor parishes they paid upon a much higher valuation than they did in the rich ones. The rich parishes created many of the poor, and they were driven out of their bounds into the poorer parishes. He sincerely trusted that the right hon. Gentleman was not going to content himself with the measure now before the House, but would go a step further, and bring in a Bill for the equalization of these rates.

MR. THOMAS CHAMBERS said, he hoped that there would be no delay in passing the measure, so that they might consider the more important question which had been mentioned by the hon. and learned Member for Southwark (Mr. Locke). He did not, however, himself think that the Government would be in a position to deal with that question until the present measure had been in operation for some few years. The first thing to be considered was the actual incidence and pressure of local taxation, which at present no one knew; and it was marvellous that they should so long have gone on increasing these burdens without taking care that they were placed on an equitable basis as between the various parishes. As the representative of three very large parishes in London he thanked his right hon. Friend (Mr. Goschen) for bringing in this measure, which he believed would be carried with acclamation from both sides of the House. When the measure passed into law, its operation would doubtless furnish materials for such an argument as that to which his hon. and learned Friend (Mr. Locke) was anxious to give effect, but at present it would be wholly premature to discuss that matter.

MR. BREWER said, he wished to point out, as a matter of fairness to the parish of St. George's, Hanover Square, that within the last few months the parish had been entirely re-assessed by an assessor who was independent of the local authorities, and who had been furnished with a copy of Schedule A of the income tax. The argument based upon a state of things formerly existing, was inapplicable and somewhat unjust to that parish in the present day; and although it might be an isolated parish, its contributions to the general fund for the police and Board of Works were raised on the county and not the poor rate. The parish had not had any great anxiety for re-adjustment since the introduction of the Bill of 1867.

Mr. SAMUDA said, that in some parishes it was customary to rate only the buildings, while in others the plant and machinery which the buildings contained were rated as well. Great doubt existed at the present moment as to what was really the law upon the point; but if the principle of rating machinery, &c., were generally adopted, it would have the effect of raising the rating in many cases upwards of 50 per cent. Such an increase, at a time of great commercial depression, could not fail to produce results of a serious character.

Mr. MELLOR said, that as the representative of a manufacturing district, and with the experience gained by acting as Chairman of the Assessment Committee at Ashton-under-Lyne, he begged to assure the right hon. Gentleman (Mr. Goschen) that if he would determine what constituted "annual value" he would settle a point always felt to be one of very great difficulty.

Mr. GOSCHEN, in reply, said, that those parishes which could show that they were at present fully assessed, would not be under the obligation of making an entirely fresh valuation. When the valuation lists had been made out by the different parishes and sent in, the totals of those lists would be dealt with by the Central Board. That Board would have nothing to do with the tenement valuation, but simply with the totals; if any parish, however had conducted its operation so as to reduce its valuation below the proper amount, facilities would be afforded for an appeal. A distinction had been very properly drawn between the equalization of rates and the equalization of assessments. He had always been in favour of equalizing, as far as possible the burdens of different parts of the metropolis; and he fully endorsed the spirit of the observations made by his hon. and learned Friend (Mr. Locke). But he maintained that it was impossible to move faster towards the equalization of rates than was allowed by the discovery of the machinery requisite to insure that no abuse would arise from giving to local bodies a claim upon funds not locally raised. The movement made in the direction of equalization in the Act carried by the right hon. Gentleman the Member for Oxford University (Mr. Gathorne Hardy) must not be underrated. It was true that the poor rate was much greater individually than the other rates; but the other rates raised over the whole metropolis amounted to an aggregate of 2*s.* in the pound, out of an aggregate of 5*s.* in the pound representing the taxation of the metropolis as a whole; consequently nearly one-half of the metropolitan taxation was borne by the common area of the metropolis. Further progress, carefully made, would doubtless tend in the same direction; and the question of equalization of rates would certainly receive, as it deserved, the consideration of the Government. Regarding St. George's, Hanover Square, to which the hon. Member for Colchester (Dr. Brewer) had referred, the calculations, of course, had been made upon past and not upon prospective rates; but, taking the figures for last year, he found that the poor rate had been raised on an assessment of £905,000, and the county rate, according to the assessment of 1864, was on a sum of £1,076,000; but that assessment had been raised to £1,250,000, so that the poor rate assessment of the parish was still £350,000 less than what was acknowledged to be its proper amount of county assessment. That was a striking instance of what had been, and what might still be, if these valuations continued to be made by different justices of the peace, in different counties, and at irregular intervals. The different modes of ascertaining the annual value, to which reference had been made by the hon. Member for the Tower Hamlets (Mr. Samuda), might be dealt with and corrected in the scale of reductions hereafter to be laid down. By the Bill of 1867 those premises which were used partly as dwellings and partly as manufactories, were bound to follow the established uniformity of principle.

When the Bill was brought in it would be found that its tendency was not to lower or to raise any special classes of property, but simply to establish uniformity in the principle of assessing all kinds of property.

Motion *agreed to.*

Bill to provide for uniformity in the Assessment of Rateable Property in the Metropolis, *ordered* to be brought in by Mr. GOSCHEN, Mr. ARTHUR PEEL, and Mr. AYRTON.

Bill *presented,* and read the first time. [Bill 12.]

RATEABLE PROPERTY BILL.

LEAVE. FIRST READING.

MR. GOSCHEN, in moving for leave to introduce a Bill to provide for a common basis of value for the purposes of Government and local taxation, and to promote uniformity in the assessment of rateable property in England, said, that as this Bill resembled in its general provisions the Bill of the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt), introduced last Session, he would not occupy the House by describing its provisions at the present time. He hoped, however, soon to be able to lay the Bill on the table of the House.

MR. CANDLISH said, he wished to know if the same principle was to be applied to borrowed capital for the counties as was applied to that for the metropolis? He also wished to ask whether the borrowed capital was to be repaid throughout the term of its repayment by equal annual instalments? At present, it was provided the amount should be re-paid in thirty equal payments; but that was impossible, taking into consideration that the amount of interest differed and diminished every year. He thought there ought to be something in the nature of a sinking fund for the purpose, and that money borrowed for general purposes ought to be made a union, instead of a parish charge.

MR. PEASE asked, whether it was intended to equalize the rating of all mines, and to bring under assessment metallic as well as coal mines?

MR. GOSCHEN, in reply, said, the Bill would be limited practically to the uniformity of assessment of rateable property, and would consequently not include the assessment of any new kinds of property. That question was under consideration; but he was unable to say whether there would be time to deal with it this Session. As to loans, it appeared to him that any changes made in reference to them ought rather to be made in the laws under which they were contracted, than in the present Bill.

Motion *agreed to.*

Bill to provide for a common basis of value for the purposes of Government and Local Taxation, and to promote uniformity in the Assessment of Rateable Property in England, *ordered* to be brought in by Mr. GOSCHEN, Mr. ARTHUR PEEL, and Mr. AYRTON.

Bill *presented,* and read the first time. [Bill 11.]

ECCLESIASTICAL TITLES BILL.

LEAVE. FIRST READING.

MR. MAC EVOY, in moving for leave to bring in a Bill to repeal the Act of the 14 & 15 *Vict.*, c. 60, intituled, "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom," and of sec. 24 of the Act of 10 *Geo.* IV., c. 7, said, the House had, on two former occasions, allowed him to introduce a similar Bill, and the subject had been fully discussed and considered by Select Committees of both Houses of Parliament. The present Leader of the House, and many of his Colleagues had given their most strenuous opposition to the Ecclesiastical Titles Act when it originally passed, and the Leader of the present Opposition was kind enough, on a former occasion, to allow the introduction of the Bill, which he now had the honour to submit to the House for the third time. The present political circumstances of the country justified him in the belief that the Bill would be received in a fair and candid spirit by the House. He did not propose to go into the policy of his proposal then, but only to ask the House to consent to the introduction of the Bill, and read it a first time, and he would place the second reading on such a day as would give every hon. Member an opportunity of stating his views with regard to it.

MR. NEWDEGATE said, the hon. Member for Meath had correctly stated that the late House permitted the introduction of this Bill; but he could not think that the few words which had fallen from the hon. Member would at all inform the new House of the importance of the measure which he had undertaken to introduce. He could scarcely account for an individual Member of the

House, unconnected with the Administration, undertaking so grave a constitutional question as was involved in this particular, unless it was that he represented something more than an ordinary constituency, for the House had been officially informed that the measure had received the sanction of the hierarchy of the Roman Catholics in Ireland and England. It was true, as the hon. Member had stated, that a Committee of this House was appointed in the Session of 1867, and went into the matter of this Bill; but he should not now allude particularly to the circumstances connected with the Bill further than to say that the House was kind enough to excuse him from serving, although he was nominated on the Committee, on the grounds that he did not think the Committee was fairly constituted, and also that there was not time to complete the investigation of so grave a matter. The Committee sat up to the end of the Session, and the result of its investigation was that the Report, with the hon. Member for Meath as the Chairman of the Committee, was carried by a majority of 1. In 1868, the House of Lords appointed a Committee to inquire into the subject-matter of the Bill, and he would beg to refer the House to the Report of that Committee and the most important evidence that was taken by it. The result of that Committee was entirely adverse to the hon. Member's proposal. The evidence tendered before the Committee of this House was rather of a remarkable character. Not one witness was examined in support of the existing law—an Act that was passed in 1851 by repeated majorities in this House, and supported by an overwhelming majority of demonstrations in the country. The House of Lords had decided that it would be unconstitutional and inconsistent with the supremacy of the law of this country that the Act declaratory of the Common Law of the country in maintaining the Supremacy of the Crown should be abrogated as proposed by the hon. Member. He was unwilling to detain the House long, but he wished to put one point before them. A most eminent Roman Catholic barrister was examined before the Committee of that House in 1861—namely, Mr. Hope Scott—and, by way of illustrating one portion of this subject, he would read an extract from his evidence, which the right hon. Gentleman the Member for Cambridge University embodied in his first Report, but which was rejected by a majority of 1. Mr. Hope Scott was asked, with reference to the relative position of the two Churches—the Established Church and the Roman Church—that, if a Bishop was intruded into the see of another Bishop in this country it would be, in the eye of that portion of the Church at all events which was in the country, a schismatical act? His answer was most remarkable—

> "There can be no doubt about it. The fact is, that the Roman Catholic Church would not be justified in placing bishops anywhere in England or in Ireland, if it did not deny the authority, practically speaking, of the Bishops of the Establishment; it is, of course, an issue between the two religions, which it is of no use blinking."

Then Mr. Hope Scott was further asked—

> "But the Roman Catholic Church assumes that the English episcopate has no existence in England;"

and the answer was "Most undoubtedly." He (Mr. Newdegate) begged to call the attention of the House to this subject, because it was not merely a matter of religion, but the House would observe from the answer which he had read that it was a question of establishment and authority. It was the authority of the Established Church as charged by the State with the cure of all souls; that was with the function of extending to all the community its services if they would accept them. It was that function which the Roman Catholic Church disputed, and asserted its rights against the present position of the Established Church. A proposal was before the country to disestablish the Protestant Church in Ireland. Mr. Hope Scott had declared the claims of the Roman Catholic Church to establishment by claiming authority, not over persons of its own communion only, but over all baptized Christians; and that this should be sanctioned by law, and sanctioned by the repeal of the statute which forbade the exercise of that authority and jurisdiction. Therefore, the position was this, that when a proposal was before the country, and would soon be before the House, for the disestablishment of the Protestant Church in Ireland, an hon. Member of the House introduced a Bill which would virtually sanction the establishment of the Roman

Catholic Church throughout the United Kingdom. He did not wish longer to detain the House, but he would refer the new Members to two sources of information—the evidence and Report of a Committee of this House, presented in 1867, and the evidence and Report before the House of Lords presented last year.

MR. WALPOLE said, the hon. Member for North Warwickshire had stated very accurately what had taken place in 1867 and 1868, in reference to the proposal now made to repeal what was called the Ecclesiastical Titles Act. There was only one thing he (Mr. Walpole) would wish to add to the statement, and that was, in consequence of the observation which fell from his hon. Friend, that no evidence was taken against the repeal of the Bill by the Committee of the House of Commons, for some reasons unintelligible to his hon. Friend, and for some reasons which his hon. Friend thought ought to have operated on the minds of the Committee in a different way. And, now, what he wished to remind his hon. Friend of was, that what the Committee considered to be the case, as presented to them, was simply this:—A case of grievance was attempted to be made out, but the whole question of practical grievance was entirely refuted, and it then simply appeared to the Committee that it was not necessary to go into evidence. When the matter came on for discussion, these matters might be more fully noticed. He agreed that this Bill, having been already twice introduced into the House of Commons, it would not perhaps be courteous to the hon. Member, or altogether respectful to the House, to oppose the present Motion; but he must be permitted to observe that the measure, having been carried after the fullest discussion, proposed, as it had been, not by a Conservative, but by a Liberal Government; and having met the general consent and approbation of the people, the hon. Gentleman must expect that those who had seen no cause to change their opinions would continue to give their most strenuous opposition to the alteration of what they regarded as a most important part of the legislation of this country. He had no objection to the introduction of the Bill, but he hoped that due Notice would be given of the time fixed for its second reading.

Motion *agreed to.*

Bill to repeal the Act of the fourteenth and fifteenth Victoria, chapter sixty, intituled, "An Act to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom," and Section Twenty-four of the Act of the tenth George the Fourth, chapter seven, *ordered* to be brought in by Mr. MACEVOY, Mr. WILLIAM GREGORY, Sir ROWLAND BLENNERHASSETT, and Mr. CORBALLY.

Bill *presented,* and read the first time. [Bill 13.]

DUMFRIESSHIRE ELECTION.

MOTION FOR A SELECT COMMITTEE.

MR. THOMAS CHAMBERS, in moving that a Select Committee of seven Members be appointed "to consider whether Sir Sydney Hedley Waterlow is disqualified from sitting and voting as a Member of this House under the Statute 22 *Geo.* 3, c. 45, and to report their opinion thereon," said it would be remembered that at the last General Election, after a strong contest, Sir Sydney Waterlow had been declared duly elected for Dumfriesshire; but in conformity with the Act of last year, a petition had been presented against that return; and among the allegations of that petition was one that the hon. Member was disqualified and ineligible to be elected a Member of the House in consequence of being interested in a Government contract. After the petition was presented, and before the time came for it to be tried, it was withdrawn, under the sanction of judicial authority, and without the least imputation on any of the parties. The result of the withdrawal had been to place the hon. Member in a position in which no hon. Gentleman ought to remain. Ordinarily, if a petition was presented against a return and afterwards withdrawn, all the allegations which went to vacate the seat fell to the ground, and the Member petitioned against, the petition having been withdrawn, stood in precisely the same situation as every other Member for the purpose of discharging his duty. But in this instance, although the petition had been withdrawn, the allegation as to disqualification remained, and the difficulty was how that question should be determined. It would have been determined if the petition had been proceeded with. It could now also be determined but in a way which he thought no hon. Member should be bound to have recourse to—namely, by his sitting and voting with the certain prospect—for the hon. Member for Dumfriesshire had received notice to that effect—of being sued for the penalty of £500, for every day he sat and voted, which a Court of Law might inflict upon him. That was the position in which the hon. Member would be placed if the proposal he was about to make referring the question whether he was disqualified from sitting to a Select Committee were not adopted. At present the hon. Member might hold his seat without taking his place in the House, a course of which no one would approve, or he could accept Office under the Crown—the Chiltern Hundreds—and vacate his seat, a course of which the hon. Member's constituents disapproved, for they had elected him and he enjoyed their confidence; or he might take his seat in the House, running the risk of the serious consequences which might result from his so doing. He saw no reason why the hon. Member should be expected to take any of these courses, and he therefore proposed the appointment of a Select Committee to consider the case. He made this Motion at the earnest request of the hon. Member himself, who desired to act in accordance with the decision of the House.

MR. ALDERMAN LAWRENCE seconded the Motion.

Motion made, and Question proposed,

"To consider whether Sir Sydney Hedley Waterlow is disqualified from sitting and voting as a Member of this House under the statute 22 Geo. 3, c. 45, and to Report their opinion thereon."—(*Mr. Thomas Chambers.*)

SIR JAMES ELPHINSTONE thought that Sir Sydney Waterlow should adopt the second alternative mentioned by the hon. and learned Gentleman, and vacate his seat, because that portion of the electors of Dumfriesshire who were opposed to the worthy Alderman were determined, whatever might be the decision of a Committee of that House, to proceed for the full penalties if Sir Sydney Waterlow should take his seat in the House. This case did not run on all fours with that of Baron Rothschild in 1855, when contractor for a Government loan, and therefore there was no use in appointing a Select Committee, the hon. Member having admitted that he held the contract for stationery at the time of the election, though he had since resigned it.

MR. W. WILLIAMS said, it might be well to consider what better position the hon. Member would be in after a reference to a Select Committee and a Report thereupon. Without presuming to venture a positive opinion, it occurred to him that the hon. Member would be exactly in the same position after the Committee had reported as he was before, inasmuch as that decision could not be pleaded as an answer to an action for penalties in a Court of Law. It would simply be a preliminary inquiry which might bring that House into conflict with a Court of Law. He would therefore advise him to accept the Chiltern Hundreds.

MR. WALPOLE observed, that the question was an important one for the House to consider. He thought it would be very unadvisable to take any step which might possibly bring the House into conflict with the Courts of Law. He understood his hon. and learned Friend (Mr. T. Chambers) to say that the law was clear, but that the facts were of such a nature that Sir Sydney Waterlow ought not to be brought within the provisions of the statute. Now, if his hon. and learned Friend could so lay the facts before the House as clearly to show that Sir Sydney Waterlow's seat could not be questioned in point of law, there might then possibly be some reason for the appointment of a Committee. There were the cases of Daniel Whittle Harvey and another which had been referred to Committees; but those cases differed from the present. There the Members had taken their seats; whereas the hon Member (Sir Sydney Waterlow) had never taken his seat at all. That seemed to him to put the question on a different footing, and he did not see what advantage would be gained by referring the matter to a Committee, while it might possibly bring a difficulty upon the House which it should be their wish to avoid. It might be very unpleasant for the hon. Member for Dumfriesshire to accept the Chiltern Hundreds; but that would certainly be the most desirable course, as it would prevent any collision with the Courts of Law.

THE LORD ADVOCATE said, the right hon. Gentleman (Mr. Walpole) had forgot the most important precedent which existed on this matter—he meant the precedent of the case of Baron Lionel Rothschild in 1855. If he (the Lord Advocate) were not much mistaken, all the objections which the right hon. Gentleman had urged to the course now proposed would have been equally applicable to that case. There had been the previous case of Mr. Daniel Whittle Harvey, which was referred to a Committee, and the Committee found that Mr. Harvey was disqualified. But if the Committee had come to a contrary decision, and Mr. Harvey had, in consequence, taken his seat, the same risk, as was now suggested, of conflict with the Courts of Law would have risen. The case of Baron Rothschild no doubt raised the question whether a contractor for a loan was within the statute; but the right hon. Gentleman would not forget that the Motion that was made in the House was one for the issue of a new Writ, bcause it was so plain and palpable on the face of the contract that he was disqualified, that it was no use for the House to make any further inquiry. But the right hon. Gentleman himself was the Member who resisted that proposal, and proposed that there should be substituted for it:—

> "That the Contract entered into by Baron Lionel de Rothschild with Her Majesty's Government, on the 20th day of April last, for a loan of £16,000,000 for the Public Service be referred to a Select Committee, and that they be directed to report their opinion whether Baron Lionel Nathan de Rothschild has vacated his Seat by his entering into the said Contract."—[3 *Hansard*, cxxxix. 169.]

That Amendment was adopted after a long debate, and the result was that the Committee found that he had not vacated his seat by entering into the contract. That was exactly the position in which the present case stood, with this exception, that Baron Rothschild at that time was under another disability from taking his seat in that House. But here the hon. Member for Dumfriesshire (Sir Sydney Waterlow) said he was elected for that county, and why should he be asked to accept the Chiltern Hundreds if, in point of fact, he had been well elected? If he had not been well elected the sooner he was made aware of that fact the better. He (the Lord Advocate) conceived it to be somewhat unconstitutional on the part of the hon. and gallant Member for Portsmouth (Sir James Elphinstone) to suggest that a certain number of the electors of Dumfriesshire were prepared to set the decision of that House at nought if it should be unfavourable to their views. If it were competent to other persons to take the case into a Court of Law, the House, of course, could take no cognizance of that. The question was whether in a matter which concerned the privileges of this House it was not right to do as had been done before—namely, make a full inquiry and take the opinion of the House upon the subject. What might happen after that opinion was given was another matter; but he could not help thinking it very improbable that the question would be tried in a Court of Law if it appeared to the Committee that the hon. Member (Sir Sydney Waterlow) was not within the statute. Apart from the particular question which had arisen here, the whole machinery of these statutes would be much better for revision. It was a barbarous state of the law under which a doubtful question of this kind could not be resolved without the risk of enormous penalties for every day the Member took his seat. Under the circumstances he hoped the House would throw no impediment in the way of the appointment of the Committee.

SIR JOHN HAY said, his hon. and gallant Friend (Sir James Elphinstone) had no wish to enforce the penalties, but thought it only just to Sir Sydney Waterlow that he should have timely notice that certain persons were prepared to proceed against him under the statute of George III. The opinion of a Committee of this House would not in any way prevent these persons from adopting such a course, and his hon. Friend had merely expressed his belief that such a course would be adopted. It was for the House to decide whether it was desirable that a conflict should arise between a Court of Law and a Committee of the House.

MR. KINNAIRD said, the question really seemed to be one of privilege. Two Members of that House appeared to have communicated with another Member something that they intended to do.

SIR JOHN HAY wished to explain. He had not communicated, nor had any one else, to his knowledge, communicated to the worthy Alderman anything he intended to do. All that had been communicated was what public rumour said would be done.

MR. KINNAIRD regarded the explanation as a distinction without a difference. An hon. Member had been informed within the precincts of the House that in the event of his sitting and voting certain penalties would be attempted to be exacted. That was a matter of privilege, and the only way for the House to protect the Member was to appoint a Committee. There need be no apprehension of a collision with the law; for, if an impartial Committee decided that the Member was properly seated, it was not likely that a Court of Law would be inclined to dispute the decision.

MR. CARNEGIE reminded the House that it was competent for the hon. Baronet or for any other person to appear before the Court of Session and to object to the withdrawal of the petition against Sir Sydney Waterlow's return. If they had wished to raise the question that was the constitutional mode of doing so. The course now taken seemed to be less for the vindication of the privileges of the House than for the purpose of simple annoyance.

MR. RYLANDS said, he would vote for the Motion if it were pressed, but he hoped the result of the discussion would be that steps would be taken in the direction pointed out by the learned Lord (the Lord Advocate). Very serious injustice was done by the operation of the Act of George III. There were many Members of that House indirectly interested in Government contracts, but who did not come under the operation of the Act, while a member of a private firm, having undertaken a contract from which he had sought to free himself, was placed in the very disagreeable situation of being threatened with proceedings for the enforcement of penalties if he sat or voted in the House. The hon. Member for Manchester (Mr. Birley), who sat upon the Opposition side of the House, was in a position somewhat similar to that of the hon. Member for Dumfriesshire (Sir Sydney Waterlow) in regard to a small contract, and his case was now before the Judges, and it appeared that the Act of George III. had the effect of excluding from the House many gentlemen who would be very desirable Members. That Act was passed when a vast amount of jobbery had been perpetrated in connection with Members of that House, and when many Members represented rotten boroughs, and only came into Parliament for the purpose of making merchandize of the seats which they had purchased. In such a state of things, it was much to the credit of the Parliament of that day that it passed an Act imposing such stringent penalties upon Members who held contracts under the Government. They had now, however, Members representing large constituencies; those constituencies kept their eyes upon their representatives; public opinion was brought to bear upon Members; and there was no longer any necessity for any such guarantee as that provided by the Act now under discussion. He hoped, whatever might be the result of the Motion before the House, the effect of the discussion would be the repeal of this section of the Act of George III.

MR. HUNT said, that two questions seemed to be under discussion, one being what the hon. Member for Dumfriesshire (Sir Sydney Waterlow) ought to do, and the other what the House ought to do. Now, the only question with which they were really concerned was the latter. It had been brought to the knowledge of the House that one of its seats was said to be vacant, and he did not see how the point could be ascertained except by the appointment of the proposed Committee. If the Committee reported that the hon. Member was interested in a contract and that his case came within the statute, the House would no doubt determine that the seat was void and that there must be another election. If not, it would then be for the hon. Member to determine whether he would abide by the Report of the Committee and run the risk of penalties in a Court of Law. He saw no reason for objecting to the appointment of the Committee. In the event of the penalties being sought for under such circumstances, there might, indeed, as had been said, be some danger of a collision between the House and the Courts of Law, but there was no escape from that position, and it would be, as he said, for the hon. Member (Sir Sydney Waterlow) to take the course that seemed to him most advisable, as soon as the deliberations of the Committee were over.

Motion *agreed to.*

Select Committee *appointed,* "to consider whether Sir Sydney Hedley Waterlow is disqualified from sitting and voting as a Member of this House under the Statute 22 Geo. 3, c. 45, and to Report their opinion thereon."—(*Mr. Thomas Chambers.*)

And, on Feb. 24, Committee *nominated* as follows:—The LORD ADVOCATE, Mr. THOMAS CHAMBERS, Mr. BRAND, Mr. HEADLAM, Mr. GATHORNE HARDY, Mr. HENLEY, and Mr. PEMBERTON:—Power to send for persons, papers, and records; Five to be the quorum:—Counsel ordered.

SALE OF LIQUORS.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Owners and Occupiers of Property in certain districts to prevent the common sale of Intoxicating Liquors within such districts.

Resolution *reported:* — Bill *ordered* to be brought in by Sir WILFRID LAWSON, Mr. BAZLEY, and Mr. DALWAY.

Bill *presented,* and read the first time. [Bill 10.]

House adjourned at a quarter before Eight o'clock.

HOUSE OF LORDS,

Tuesday, 23rd February, 1869.

MINUTES.]—SELECT COMMITTEE—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—The Marquess of Lansdowne *added.*

PUBLIC BILL—*First Reading*—Common Law Courts (Ireland)* (9).

PUBLIC BUSINESS—BILLS RELATING TO IRELAND.—QUESTION.

THE MARQUESS OF CLANRICARDE said, he desired to learn what Bills relating to Ireland, more particularly with reference to Law Reform, it was the intention of the Government to propose to introduce into Parliament during the present Session. Some surprise and dissatisfaction had been excited in Ireland by the very meagre notice taken of that country in Her Majesty's Speech; for though the Ecclesiastical arrangements had been mentioned as likely to require a great amount of attention—as would, no doubt, be the case—they would not engross all, or nearly all, the time at the disposal of Parliament. As far, moreover, as their Lordships were concerned, complaints had been made that a great part of the Session was likely to elapse before measures of importance would come before them. Now there were several subjects which—though not of great importance as regards Imperial interests — were nevertheless of great interest to the people of Ireland; which measures might be advantageously introduced in their Lordships' House. He did not, of course, allude to the great measure on the Irish Church, nor to Parliamentary Reform, though he thought that Ireland stood very much in need of some well-considered measure on that subject; nor did he refer to the important questions of education or the land system. Although those matters were referred to at almost every hustings in Ireland during the late General Election, and the people seemed to attach great importance to them, there had been expressed an intention on the part of the Government not to legislate on these questions this Session. He could not help thinking that some reference ought to have been made to some of those questions in the Royal Speech, if only in deference to the public opinion existing in Ireland, as well as to the amendment of the law referring to grand juries, which was very desirable. It had been stated that a Bill on the latter subject had been prepared, and he could not understand why, in that case, it was not at once introduced to their Lordships' House, for it would involve a great deal of detail, with which a Select Committee could best deal. But he specially referred to an amendment of the Common Law procedure of Ireland which was very much needed. The working of the existing system, which was based on the Act of 1853, was very unsatisfactory. In 1861 he obtained a Commission of Inquiry, of which no less than five ex-Lord Chancellors were Members, and their Report recommended a number of important changes. It pointed out that there had been no attempt to extend to Ireland the beneficial provisions of the English Act of 1860, and it urged the propriety of assimilating the English and Irish systems as far as possible. He thought this might be very easily accomplished, and that the Irish procedure might be adapted to the English in almost all its provisions. Unfortunately there was an impression in Ireland that no legal reforms for that country were desired by the Law Officers of any administration, unless they created patronage or appointments which were acceptable to the promoters. He hoped that this impression, which had not been without some appearance of truth, would be removed by future legislation. Then there was the question of bankruptcy. Certain provisions of the English Law which were indisputably good — such as those bringing non-traders within its operation — might be extended to Ireland, and that country might share the benefit of a measure carried by Mr. Moffatt last Session for checking fraudulent composition deeds. Legislation on these subjects would show the people of Ireland that Parliament was anxious, irrespective of great party questions, to promote their prosperity and welfare, and he hoped the noble Earl (Earl Granville) would be able to inform their Lordships that some measures would, on an early day, be brought before them, in order that they might have a good chance of passing through both Houses during the Session.

Earl GRANVILLE replied that the noble Marquess must be aware that whatever grievances Ireland might have to complain of they certainly would not, this Session, include that of being entirely neglected by Parliament. With reference to the minor measures mentioned by the noble Marquess, he was not aware that it was the intention of the Irish Department to introduce a Bankruptcy Bill this year. He would make inquiries on the subject; but it was obvious that there might be an advantage in settling a comprehensive and satisfactory scheme for England before extending any of the provisions of the existing law to Ireland. A Bill referring to grand juries and another relating to prisons had been prepared; but before introducing them into this House it would be necessary to consider whether, having regard to the claims of other measures, there was a reasonable chance of their passing through both Houses of the Legislature during the present Session. It would be a satisfaction to him if, on inquiry, he found himself in a position to introduce one or both of those Bills into this House. With regard to a measure relating to Common Law Procedure in Ireland, he had a more satisfactory reply to give. He was glad to be able to say that he would move at the end of the evening a Bill based on the recommendations of the Royal Commission of 1861, alluded to by the noble Marquess.

CRIMINAL LAW—REPRESSION OF CRIME.—NOTICE.

The Earl of KIMBERLEY said, their Lordships might perhaps be pleased to learn that a Bill which was to have been introduced by the Secretary of State for the Home Department into the other House of Parliament had been withdrawn from that House, in order that their Lordships might have some occupation at the beginning of the Session. He now begged to give Notice that he would on Friday next call the attention of the House to the necessity of further measures for the better repression of Crime, and that he should then take the opportunity of explaining the provisions of the Bill to be introduced on the subject.

COMMON LAW COURTS (IRELAND) BILL [H.L.]

A Bill to amend the Pleading, Practice, and Procedure of the Courts of Common Law in Ireland—Was *presented* by The Earl **Granville**; read 1^{a}. (No. 9.)

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 23rd February, 1869.

MINUTES.] — New Member Sworn — Baron Lionel Nathan de Rothschild, *for* London City.

Select Committee—Standing Orders, *nominated*; on Committee of Selection, *nominated.*

Public Bills—*Resolutions in Committee*—University Tests; Money Laws (Ireland).

Ordered—Revenue Officers; University Tests; Money Laws (Ireland); Libel; Civil Offices.

First Reading — Revenue Officers [14]; University Tests [15]; Money Laws (Ireland) [16]; Libel [17].

HARBOURS OF REFUGE.—QUESTION.

Mr. BOURKE said, he would beg to ask the President of the Board of Trade, Whether it is the intention of Her Majesty's Government to propose to carry out any of the Recommendations which were made by the Royal Commissioners in the year 1859 on the subject of Life Harbours and Harbours of Refuge?

Mr. BRIGHT: The hon. Gentleman, I presume, knows that the Commission to which he refers made two principal suggestions, one of which past Boards of Trade and Governments have altogether refused to adopt, and the second of which has been in course of adoption from the time the Report of the Commission was issued. I need not, I think, enter into detail in the matter. It may be sufficient to say that money is constantly advanced by the Public Works Loan Commissioners at the low rate of 3¼ or 3½ per cent to all places in which there are persons resident who deem a harbour to be desirable, and are willing to give security for the money so advanced. The Board of Trade feels perfectly assured that if the first suggestion of the Commission was adopted it would lead to an almost unlimited expenditure of the public money; and if any hon. Member wishes to make up his mind on that point, he has only to turn to the evidence taken before the Commission, from which he will find that the particular locality from which any witness happened to come was, in his opinion, not simply the best, but, in point of fact, the only place at which a harbour of refuge ought to be established, all other places being of no use for the purpose. The course which the Board of Trade has hitherto taken in the matter is that which it proposes to continue to pursue, and it will, therefore, make no change in its policy so far as the Report of the Commission is concerned.

THE INDIAN BUDGET.—QUESTION.

MR. J. B. SMITH said, he would beg to ask the Under Secretary of State for India, Whether it be his intention to follow the example of his predecessors in bringing forward the Indian Budget on the last week of the Session of Parliament, or whether he desires to alter the period of making up the Indian Accounts to such a date as will enable him to lay them upon the Table of the House at the opening of the Session of Parliament, so that the Budget may be brought forward, and Indian questions discussed previously to the pressure of other business?

MR. GRANT DUFF said, in reply to the first part of the Question, that nobody could be more anxious than he was that the Indian financial statement should be made to the House at a time when it would suit the convenience of all those hon. Members who took an interest in Indian affairs to be present in their places, and to aid the Government by their information and advice. With regard to the second part of the Question, the state of the case was this:—In the year 1866, in consequence of a Notice given in this House by his hon. Friend (Mr. J. B. Smith), this whole subject was most carefully gone into by the Government of India, acting under the directions of the then Secretary of State, and the Government of India came to the conclusion that the views of those persons who regretted that the financial statement was made so late in the Session would be best met by altering the old Indian financial year, which used to end on the 30th of April, and making it end on the 31st of March, the same as the English financial year. That change had been approved by the Home Government, and since it had come into operation there was nothing to prevent the Indian Budget from being laid before the House a month earlier than could previously have been the case, if such were the will of the House. A change in the financial year caused, of course, a great amount of inconvenience in India, and it would not, therefore, be reasonable to adopt any suggestion for a further change until the present system had been sufficiently tried, and it was ascertained whether it worked well or not.

FACTORY RETURNS.—QUESTION.

MR. BAINES said, he would beg to ask the Secretary of State for the Home Department, If he can inform the House when the Factory Returns, ordered by the House so long since as the 2nd of December 1867, are likely to be presented; and also when the Reports of the Factory Inspectors for October 31, 1868, will be laid before the House?

MR. BRUCE said, that the Returns mentioned in the first part of his hon. Friend's Question which had been so long delayed would, he was informed, be on the table of the House in about three weeks; while the Reports of the Factory Inspectors would be produced in about a week.

POLLUTION OF RIVERS.—QUESTION.

MR. JAMES HOWARD said, he would beg to ask the Secretary of State for the Home Department, Whether, considering the evils made public by the Report of the Rivers Commission, it be the intention of the Government to introduce, during the present Session, any measure for the prevention of the pollution of rivers and watercourses?

MR. BRUCE said, that the important Commission presided over by Sir William Denison was now engaged in examining the Ribble and Mersey, which flowed through the chief manufacturing districts of the country, but until they had pursued their inquiries further he could not say when the Report would be presented; although, from communications he had held with them, he was not without hopes that they would be able to lay down principles which would enable the House to legislate on this subject without causing any serious interruption to our manufacturing establishments.

THE GOVERNMENT OF THE ARMY.

QUESTION.

LORD ELCHO said, he would beg to ask the First Lord of the Treasury, Whether, under the Warrant appointing the Commander in Chief of the Army, any doubt arises as to the relative position of the Commander in Chief and the Secretary of State for War; whether it is or is not the case that the authority of the Secretary of State is supreme in all that relates to the administration of the Army, and that it can, if necessary, be brought to bear upon minor promotions as well as upon the higher military appointments, and also upon matters connected with the discipline of the Army; whether, in the present administration of the Army, there is any approach to dual Government other than that which necessarily arises from the Secretary of State for War and his Staff being in one building, while the Officer charged with the discipline of the Army is with his Staff located in another; and, whether any steps are being taken, or are about to be taken, with a view to the more speedy and economical transaction of business, to concentrate the War Departments in one building?

MR. CARDWELL: In answer to my noble Friend I have to state that his Royal Highness the Duke of Cambridge is not Commander-in-Chief of the Army. His proper designation is Field-Marshal Commanding-in-Chief. As such he is appointed, not by warrant, but only by what is technically called a letter of service addressed to him, by command of Her Majesty, by the Secretary of State for War. It is the case, to use the language of my noble Friend, that the authority of the Secretary of State for War—that is to say, the authority of Her Majesty's Government exercised by him is supreme in all that relates to the administration of the army, it is brought to bear on minor promotions as well as on the higher military appointments, and I entirely concur with the opinion implied by my noble Friend, that it ought to be brought to bear, if necessary, in matters connected with the discipline of the army. Having stated that the authority of the Secretary of State is supreme, I, of course, agree in the opinion indicated by my noble Friend that there exists in principle no dual government, and I concur in the belief that when the question of the amalgamation of the public offices is settled, a great improvement in the transaction of business will result from having the two Departments of army administration associated in the same building. I have only further to say that I beg to reserve to myself entire freedom to use my discretion with regard to any changes in the two Departments which experience may prove to me to be desirable in the interest of the public service.

RETURNS OF INDIAN OFFICERS.

QUESTION.

COLONEL SYKES said, he would beg to ask the Under Secretary of State for India, For an explanation of the discrepancies between the Parliamentary Return, No. 440, respecting the prospective annual number of Officers of the different ranks in the Indian Armies, and Returns drawn up by Officers in India; for instance, the Parliamentary Return states there will be 480 Lieutenants in 1873, while the Returns drawn up by the Officers in India give only 13 Lieutenants —namely, 11 at Bengal, 2 at Madras, and nil at Bombay?

MR. GRANT DUFF said, the explanation for which his hon. and gallant Friend asked might be easily given. The fact was, that the Returns in question took no notice of the deaths that must inevitably occur among the officers between the years 1867 and 1873. The Parliamentary Return, on the other hand, took notice of those deaths. The Returns to which his hon. and gallant Friend called their attention, not taking any notice of the death vacancies, took at the same time, of course, no notice of the new appointments by which those vacancies would be filled. In that way the very startling difference in the results was arrived at.

IMPORTATION OF FOREIGN SHEEP AND CATTLE.—QUESTION.

MR. SYNAN said, he would beg to ask the Vice President of the Committee of Council, Whether the Orders of the 20th August and 19th October 1868, regulating the importation of sheep from the Continent of Europe have been revoked; and, if so, whether any and what regulations have been substituted for preventing the importation of diseased sheep or sheep from infected districts? He also wished to know whether the Government proposed to substitute any new regulations for those of the month of August last, which they had just revoked?

MR. W. E. FORSTER said, he could not give a different Answer upon that occasion from that which he had given on the preceding evening to his right hon. Friend the Member for Newcastle (Mr. Headlam). The Government did not propose to issue any fresh regulations with respect to the importation of sheep in consequence of the revocation of the Order referred to. Importation of sheep will in future be conducted under the same conditions as were in force before the 20th of August last, which were briefly these:—Sheep that arrived in ships in which there was no foreign cattle were allowed unrestricted removal; but for the future the Custom House authorities had been directed to observe especial care in that examination. The latest official information they had received from the Continent in reference to that subject was contained in a despatch dated 3rd of February, to the effect that sheep-pox had abated in the neighbourhood of Rotterdam, and that everywhere else in Holland it had disappeared. Since that time he had seen a letter from the Minister for the Netherlands, which stated that the sheep-pox might be said to have disappeared altogether from that country.

PAY OF ADMIRALTY CLERKS. QUESTION.

CAPTAIN GROSVENOR said, he would beg to ask the First Lord of the Admiralty, Why it is that an Order in Council, dated February 16, 1866, having directed an increase of pay to be given to Third Class Clerks in the Departments of the Principal Offices of the Admiralty, a section of that class, neither senior nor junior, but intermediate, is excluded from its operation; and, whether he is aware that the present Solicitor General has delivered an opinion in writing to the effect that such exclusion is unjustifiable?

MR. CHILDERS: By an Order in Council of the 16th of February, 1866, the salaries of the third class clerks at Somerset House, which had commenced at £90, rising annually by £10 to £300, were fixed at £100, rising for the first eight years by £10, and afterwards by £15. By permission of the Treasury, in addition to this improvement, which affected all the third class clerks, those who had then completed eight years' service were allowed such further addition to their salaries as would have been the result if such a scale had been in force when they were appointed. The clerks with less than eight years' service petitioned that this second boon should be also granted to them. This was refused by the Duke of Somerset's Admiralty in April, 1866, and by the late Board in July, 1866, and February, 1868. The application was renewed in November, 1868, and left by the late Board for the consideration of their successors. With the application was an opinion by Mr. Coleridge, but not the case submitted to him. As it was my intention to undertake at once a revision of the Somerset House establishments, it was evidently not the moment to consider whether the decision made by both the former Boards should be reversed. That revision is now going on. The additional charge created by the Order in Council of the 16th of February, 1866, amounts to £2,043 9s. 4d. The annual cost of the additional boon solicited by the clerks with less than eight years' service would amount to £1,040.

LOCAL MANAGEMENT OF THE METROPOLIS.—QUESTION.

MR. BENTINCK said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government, during the present Session, to bring in any Bill for the better administration of Local Management of the Metropolis?

MR. BRUCE, in reply, said, he was sorry to say Her Majesty's Government could not undertake to deal with this subject during the present Session.

ENGLISH FISHERIES.—QUESTION.

MR. BENTINCK said, he would beg to ask the Secretary of State for the Home Department, Whether he is aware that the Judgment of the Special Commissioners for English Fisheries, which was delivered at Workington on the 10th of December last, and which he has undertaken to lay upon the Table of the House, is of great length, and is also under appeal to the Court of Common Pleas; and whether, under the circumstances, it is not desirable that the production of the Papers should be postponed until the case has been finally decided?

MR. BRUCE said, he did not think the decision of the Common Pleas should affect the publication of the judgment. The Commissioners suggested a certain alteration of the law from reasons of public policy, and their recommendations in this respect could not be affected by the decision of the Court of Common Pleas as to what the law was upon another point. It was true the judgment of the Special Commissioners was voluminous, but it was also very able, and it would be of great advantage to hon. Members to have it before them in considering the question to be submitted to the House.

THE CATTLE PLAGUE.—QUESTION.

SIR JAMES ELPHINSTONE said, he would beg to ask the Vice President of the Committee of Council, Whether an outbreak of Rinderpest has been reported to have taken place in Germany; and, whether the Dutch Government have not despatched a staff of officials to Zevenaar to exercise an active supervision over the German frontier?

MR. W. E. FORSTER said, the Government had no intimation of an outbreak of rinderpest in Germany, nor any reason to believe the report true. Immediately Notice of the Question had been given questions were forwarded by telegraph to various places on the Continent, but the only answer received was from the Hague. It was true the Dutch had despatched officials to the German frontier, not, however, in consequence of an outbreak of rinderpest in Germany, but because of its existence in Gallicia and Transylvania; and the Government believed the existence of rinderpest in these countries had given rise to the rumour.

THE "WILL-OF-THE-WISP" JOURNAL: QUESTION.

MR. HARDCASTLE said, he would beg to ask the First Lord of the Admiralty, Whether it is true that the Admiralty just before the General Election subscribed for a large number of copies of a weekly periodical called the *Will-of-the-Wisp*; whether the subscription to that paper has been discontinued since the present Board of Admiralty took Office; and, on what ground the subscription was made and discontinued?

MR. CHILDERS: In reply to my hon. Friend I have to state that, on the 15th of October last, the officer who advises the Admiralty as to the periodicals to be supplied to the fleet and the naval hospitals, recommended that the usual numbers should be subscribed for in the case of two weekly papers—*Judy* and the *Will-of-the-Wisp*, and ninety-six of each of these papers were consequently ordered. On the 11th of December the same officer recommended that the subscription to the *Will-of-the-Wisp* should be discontinued, and orders accordingly were given on the 14th of December. In reference to the second part of the Question, I have to state that the present Board took office a week or ten days later; that I had therefore nothing to do with the discontinuance of the paper, and that the first I heard of the subscription or its discontinuance was by having pointed out to me an article in the *Will-of-the-Wisp* in which strong language was used against me personally for having stopped the paper. The reason why the two papers were recommended to be subscribed for was that they were likely to exercise a beneficial influence over the crews of Her Majesty's ships. I have no wish to hurt any one's feelings, and I will therefore request my hon. Friend to excuse me if I do not give the reason why the late Board of Admiralty were advised to discontinue the *Will-of-the-Wisp*.

IRELAND—RELEASE OF FENIAN CONVICTS.

MR. CHICHESTER FORTESCUE said, he would take that opportunity of answering a Question which had been put to him on the preceding evening by the right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy). The right hon. Gentleman asked, whether it was the intention of Her Majesty's Government to send home, at the public expense, those Fenian prisoners in Australia to whom the clemency of the Crown had just been extended. In reference to that point he had to observe that the general practice at the Home Office, with respect to convicts who had received a free pardon in Australia, was not to furnish them with a free passage home, unless in those cases in which the pardon had been granted in consequence of some error in the conviction, or the existence of a belief in the original innocence of the parties. With respect to that particular Question, without saying or implying that that general rule would be departed from, he desired to reserve to the Government entire freedom whether they would or would not enforce it in the case of those convicts generally or of any one of them.

IMPRISONMENT FOR DEBT—ARREST OF A CHILD.—QUESTION.

SIR GEORGE JENKINSON rose to ask the Secretary of State for the Home Department, Whether he has obtained further information in reference to the case of a girl under fourteen years of age, who was taken away last week from the Girls' Refuge at Ealing by the Sheriff's Officers for a supposed debt of £53 11*s.* 2*d.*, and conveyed to Whitecross Street Prison, and detained there; and, whether, if that statement be true, any person has committed a breach of the Law in so arresting and detaining such girl; and, if so, whether he intends to take any further steps in reference to the matter?

MR. BRUCE said, that from the information he had received — which however, was not undisputed—he believed the girl had been removed from the Refuge under a mistake as to her age. He could not speak with certainty as to the law on the subject, but he gathered from the text books that an infant might be arrested on a writ of *capias ad satisfaciendum*, and that an infant might be outlawed if above the age of twelve, or even under that age if a female.

VACATING OF SEATS BILL.

MOTION FOR LEAVE.

VISCOUNT BURY rose to move for leave to bring in a Bill to repeal section 26 of the Act of the sixth of Queen Anne, cap. 7, relating to the Re-election of Members accepting Office under the Crown. Under ordinary circumstances he should not have detained the House by any observations in support of his Motion; but since he had come down to the House he understood that the Motion was to be opposed. He did not know on what grounds that opposition was to be based; but he would earnestly entreat the House not to decide until they had the Bill before them, and had an opportunity of forming a judgment upon the merits of his proposition. He submitted that it was rather an unusual course that a Member who asked leave to bring in a Bill should not be allowed to lay it on the table. He felt it would be more respectful to the House not to make a speech on the present occasion, and he should therefore be glad if he should be allowed to wait for a few moments to see what course the Opposition might take, and then to submit any observations in reply he might have to offer.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to repeal section twenty-six of the Act of the sixth year of Queen Anne, chapter seven, relating to the Re-election of Members accepting office under the Crown."—(*Viscount Bury.*)

MR. WHITE said, that he would oppose the introduction of this Bill, and when the noble Lord complained of it as an unusual and, he believed, an unwarrantable proceeding, he begged to remind him such was not the case. Some ten or twelve years ago, when the noble Viscount was a Member of the House, a Bill was brought in by Mr. Wrightson, the Member for Northallerton, which went no further than the proposal contained in the measure of the late Government—namely, that certain Officers in the employment of the Crown, in case of promotion or transference, need not vacate their seats; and leave to introduce it was refused on every occasion it was moved for. It was not for private Members to be tinkering and tampering with the fundamental principles of the Constitution of Parliament. Again, in the last Parliament, of which the noble Lord was not a Member, it would be recollected that Lord Amberley moved a clause to the exact effect of the Bill the noble Lord now proposed to introduce, and the right hon. Gentleman who was then Chancellor of the Exchequer very properly remarked—and in that he had the acquiescence of the House—that the clause in the Reform Bill of 1867 went as far as was desirable in mitigating the severity of the statute of Anne. But now the noble Lord seemed to think that no one ought to take exception to his bringing in a Bill of this kind. The House would have plenty of work to do, quite enough to engage their utmost attention, without this Bill of the noble Lord. If the noble Lord had proposed to bring in a Bill not to repeal but to amend that section of the Act of Anne, they might have a Committee upon it, for they all knew there were many anomalies, exaggerated by process of time, which it would be desirable to have removed, but which still were not of so exigent and pressing nature as to engross public attention at the present time. It struck him as somewhat singular that the very first Resolution of the Whole House in Committee, to which they had come unanimously, should have been for the convenience of placemen, and now the noble Lord desired to bring in a Bill for the convenience of men who wished to be placemen. He had no sympathy with the noble Lord in that attempt. He was strongly of opinion that the present Parliament would be quite as jealous of the privileges of the people as the former Parliament, and he ventured to think that the proposition of the noble Lord was repugnant to the spirit of the Constitution, and in direct contravention of the rights of those who had sent them there. It was an infringement of the privileges of the people, because if a man when chosen by the Crown to fill Office was not to go back to his constituents, what was that but saying that he was to be independent of them, since their consent was not to be taken as to whether he should or should not accept Office? Suppose, two or three years ago, when, as was notorious, Lord Derby applied for co-operation to a right hon. Gentleman, a very conspicuous Member of the present Government, that right hon. Gentleman had accepted the offer, did the noble Lord mean to say that an appeal ought not to have been made to his constituents to ratify the proceeding? And yet if this Bill had been law at the time, no such appeal would have been necessary. The noble Lord seemed quite oblivious of a constant and wholesome principle of the British Constitution. When the statute of Anne was passed it should be recollected that they had triennial Parliaments, and yet our ancestors were so wisely jealous of the Constitutional privileges of the people, that they passed an Act that on the acceptance of Office under the Crown it should be necessary to appeal to the constituency. In the first place, the Crown was endowed with the right to choose whom it pleased for Office; and that being so, he held that the people had an equally undoubted right to say whether the men so chosen, if Members of this House, should continue to represent them. It was on that principle he opposed the introduction of this Bill, which he believed would do violence to a fundamental principle of our Constitution, and infringe the undoubted rights of the people. Suppose a man was chosen, as many were, because he happened to be independent, however consonant it might be with his own feelings to support the principles he was sent to represent when he became a Member of Government, yet there were constituencies which would not like to be represented by a person who was hampered by the acceptance of Office. If the Bill which the noble Lord asked leave to introduce should become law, he did not hesitate to say that in a Parliament of ordinary duration, it might, as Lord Lytton once remarked, prove a shelter to tergiversation and a shield to apostacy. The noble Lord might be enamoured of the Prerogative of the Crown, but he preferred to support the privileges of the people. He trusted he had not used unduly strong language, but he had been provoked by what had fallen from the noble Lord, who seemed to think any opposition to his unconstitutional proposal utterly unjustifiable.

MR. VERNON HARCOURT said, he hoped he should not be considered presumptuous if, in the first stage of the discussion of this question, he ventured to express his decided—he hoped his noble Friend would excuse him for saying his vehement—dissent from the proposal before the House. The noble Lord had said that it was unusual to oppose a proposal of this kind in the first stage of the discussion. Whether it was unusual or not he did not know; but he was looking that day at the record of a Motion of a similar character made in the second year of the Reformed Parliament — when, upon the advice given by the sturdy common sense of Lord Althorpe, that Motion was negatived in its inception. His noble Friend (Viscount Bury) was not in the usual position of a Member introducing a measure like many of those which had been introduced this Session, upon questions which everybody admitted ought to be dealt with, and where the difference of opinion was only as to the manner in which they ought to be disposed of. He (Mr. Harcourt), for one, was not ready to admit that this was a question which required to be dealt with. He could not forget that this was a Bill to abrogate a principle which was coeval with—he might almost say congenital with—our present system of Parliamentary Government. The principle was established when, after the Revolution of 1688, the relations between the Crown and the House of Commons, and between the House of Commons and the people, were settled upon a permanent footing. Therefore, he thought that the onus of proof lay on his noble Friend—although he had disclaimed it that night—to show that there was some cause for disturbing a settlement which had now existed for a period of nearly two centuries. The noble Lord had thought himself altogether dispensed from advancing any argument on which to support his proposal; but it seemed to him (Mr. Harcourt) that it needed a great deal of argument to induce the House of Commons to entertain it even at its first stage. There could be no question that originally this principle of the Constitution was introduced as a safeguard against the power of the Crown. Fortunately for them, in the generation in which they now lived, the jealousy of the power of the Crown had been disarmed by the conduct of the Sovereign. For many years past the fear which at one time was so sensitively alive in the minds of the English people had disappeared altogether; they had been so accustomed to a scrupulous fidelity in the observance of the principles of the Constitution on the part of the reigning Sovereign, that some persons had come to think the safeguards of the English Constitution wholly unnecessary. But it seemed to him that that was not a conclusive reason why these safeguards should be wholly abolished in the future. When they spoke of the Crown everybody knew that they did not mean the personal influence or authority of the Sovereign—they meant a great deal more; they meant the personal influence and authority of the Executive Government; when they spoke of the Speech from the Throne they knew that they were speaking of the Speech of the Administration, and of the policy of the Government of the day; and it was because the provisions of the statute of Anne were a safeguard against the power of the Executive, that it seemed to him quite as necessary at the present moment as at any former period of our history that they should be religiously preserved and jealously maintained. The history of that Act was probably familiar to all the Members of that House. In the original Act for the Settlement of the Crown a provision was made that all Ministers of the Crown should, after the accession of the House of Brunswick, be excluded absolutely from the House of Commons. In the fourth year of the reign of Queen Anne—when the terms of the Act for regulating the Succession to the Crown were re-settled—it was proposed by the House of Lords, which in those days was a Liberal Assembly, that this provision should be done away. At that period the Tory party in the House of Commons—under the guidance, he imagined, of Lord Bolingbroke—insisted on putting in a provision by which all Ministers of the Crown should be excluded from the House of Commons; and they were joined on that occasion by a section of the Whig party—he supposed a Whig "cave"; but they failed in carrying their project; and the settlement which now formed the statute of Anne was the result of a compromise which passed both Houses of Parliament, and ever since that period it had regulated the relations between the Crown and the House of Commons. It was by the happy accident of that arrangement that they had escaped the condition of things which now exists in America,—an example which, certainly, the recent experience of America led them to rejoice that they had not followed. The principle laid down in the Act which his noble Friend proposed to repeal was this:—That the choice by the Sovereign of her Ministers should be ratified by the people as represented by the constituencies who elected them. That was a principle which for a century and a half had been fundamental in the English Constitution; and he confessed that he was at a loss to conceive what were the grounds on which the noble Lord proposed that it should be changed. There had been practical inconveniences, no doubt, in particular Ministers who were moved from one Office to another having to go back to their constituents; but those inconveniences were removed by the Act of 1867, to which both Houses of Parliament gave their entire assent. What, however, his noble Friend proposed was a totally different thing—namely, that a change of Government should take place without any form of appeal to the people for their approval of the new Administration. Now, he ventured to say that although fear of the influence and power of the Crown had disappeared from the minds of the English people, there remained a danger quite as great—indeed, still more formidable—and that was the danger, within the House of Commons itself, of political cabal and Parliamentary intrigue. There was no event which happened in a free country so important as a change of Administration. There was nothing which was of more urgent importance than that they should guard against a change of Government which was not the result of an alteration of policy, but the effect merely of personal combinations; and it was in such a statute as that of Anne that they had a real protection against the spirit of Parliamentary intrigue; because there was an appeal under it from Parliamentary combination to the people outside as represented by the constituencies who were asked to re-elect the Members who were to form the new Government. The statute operated practically like a small dissolution of Parliament. He had been reading the other day in the Memoirs of the late Sir Robert Peel, published by his executors, a memorandum, in which he gave the reasons why he dissolved Parliament in 1834 when he had taken Office with a party which was in a minority in the House of Commons. Sir Robert Peel said that one of the considerations which drove him to that dissolution was the fact that under the operation of this very statute of Anne his Government must have gone to the constituencies. That, it seemed to him, was a very important argument in favour of the existence of such a provision. They all knew that Governments in a minority were not always very easily driven to a dissolution; and as it had been placed on record by the late Sir Robert Peel that having taken Office in the peculiar circumstances which attended the formation of his Government in 1834 the necessity of the re-election of his Cabinet led him to a conclusion in favour of dissolving Parliament, that was, he thought, a very strong reason why they should not now dispense with so valuable a safeguard for their protection under similar circumstances. But they need not go so far back as 1834 for evidence of the value of such an Act. There were circumstances even more recent than those of the year 1834, to which he should hardly have ventured to allude had they not been already referred to by the hon. Member for Brighton (Mr. White). There were cases in which a section of a party might sever itself from its own political connections on a great question of policy and might join the opposite party in Parliament. Now that section might, on a change of Government, take Office, or it might not. Probably the latter alternative might be the more prudent one. But supposing that persons who had severed themselves in action from their own party were to take Office by what was ordinarily called a coalition with a party that was opposed to them—he wanted to know whether their constituents were not entitled to express their opinion on the course they had pursued? And if the statute of Anne had operated before and might operate again to prevent such combinations as these, it seemed to him that it was a useful statute, and one with which they could not afford to dispense. The hon. Member for Brighton (Mr. White) had alluded to the question of short Parliaments. Now, he did not know whether that was a question which was to be soon raised; but if his noble Friend (Viscount Bury) should succeed in carrying his Bill, that circumstance would afford the strongest argument for short Parliaments which he could possibly conceive. But they need not go back far for reasons in favour of the existing condition of things. What had happened within the last few months should be sufficient to satisfy them that the present law was one which they ought to desire to preserve. Why, they had had a change of Government within the last three months; and, except the Ministerial explanations which had been given at the hustings, there had been no official explanation rendered to Parliament or the country of the causes which had led to that change of Government. They had seen, indeed, a sort of semi-official circular from the right hon. Member for Buckinghamshire, addressed to the Members of his own party; but that was not what was generally understood by a "Ministerial explanation." Parliament opened, and there was no Ministerial explanation from the Government of the change which had occurred or of the policy which was to be pursued; and the only explanation which the country had received had been from the Ministers upon the hustings. Some of those explanations were of a very important character. He thought his right hon. Friend the Home Secretary (Mr. Bruce), on the hustings at Renfrewshire, used some expressions on the subject of the Ballot which cast a light on a paragraph in the Speech from the Throne which otherwise might have been less intelligible than it was. There were other instances in which he was quite sure the House and the country at large would have been sorry to lose the public statements which this statute secured on the occasion of a change of Government. He might refer to an event which had given profound satisfaction to the country, and also, he believed, to both sides of the House of Commons—namely, the acceptance of the responsibilities of Office by the right hon. Gentleman the Member for Birmingham. Now, he wanted to know, would not everybody have deeply regretted if, under these circumstances, the right hon. Gentleman had had no constitutional opportunity of stating to his constituents at Birmingham the view he took of his new position, and of giving to the country at large and to those who, both in and out of the House of Commons, had followed his teaching, an assurance that the same principles which he had enforced as a leader of the people he intended to act upon as a Minister of the Crown? Why, then, should the noble Lord endeavour to deprive persons in the situation of the right hon. Gentleman the Member for Birmingham of an opportunity of making those explanations which the Constitution approved, and which certainly in his (Mr. Harcourt's) belief tended very much to the satisfaction of the people? He had to thank the House for the indulgence with which they had heard him; and, in conclusion, he would venture to ask the noble Lord to consider the grave and weighty words of warning addressed by the historian of the Constitution to our generation. Mr. Hallam, after giving a history of the origin of the statute of Queen Anne, and after blaming the original terms of the Act of Settlement, and approving the final compromise upon which they were arranged, went on to say in reference to these very sections of the statute—

> "These restrictions ought to be rigorously and jealously maintained, and to receive a construction in doubtful cases according to their constitutional spirit, not as if they were of a penal nature towards individuals—an absurdity in which the careless and indulgent spirit of modern times might sometimes acquiesce."—[*Constitutional History*, chap. xv.]

He felt assured his noble Friend would not suspect him of any disrespect towards him if he ventured to protest against what Lord Castlereagh would have called an "ignorant impatience" of small inconveniences when dealing with great constitutional principles. The principle involved in the statute of Anne he regarded as part of the essential and living fabric of the Constitution. His noble Friend, however, appeared to be dealing with it as if it were some old sword which having been a long time in the family, was of no further use, and which might, therefore, be sold off to some old curiosity shop. But he (Mr. Harcourt), for one, did not look at the statute from that point of view. It had done great service, and he believed it might do great service again. It was the sword of our fathers, and it was our duty to keep it bright and burnished as we had received it from our ancestors. While sailing on a calm and unruffled sea we ought not to confine our thoughts solely to the present because it seemed prosperous; but we should make provision also for the future, when a political tempest might arise, and, following the advice of Mr. Hallam, jealously preserve those safeguards which our forefathers had provided—those safeguards which had proved hitherto, and might prove hereafter, alike a security for the stability of the Throne and for the liberties of the people.

Mr. LOCKE KING said, that while agreeing with the opinions expressed by the last speaker, he wished to remark that his hon. and learned Friend and the hon. Member for Brighton had revived a very inconvenient practice in that House. The custom of discussing the merits of Bills which hon. Members had not yet seen used to prevail in the House many years ago, and few Members had suffered more than he had from Bills being thrown out before they were brought in. Of late years, however, the practice had grown up of allowing Members who had taken the trouble of drawing up Bills the privilege of having them printed, and so giving hon. Members the opportunity of examining their contents. That privilege had, he believed, always been possessed by Members of the other House, where every Peer had simply to lay his Bill upon the table in order to insure its being printed and circulated. It would, in his judgment, be unfair to the noble Lord (Viscount Bury) to deprive him of the opportunity of having his Bill introduced and discussed after hon. Members had made themselves acquainted with the precise nature of its provisions. He trusted the House would allow the noble Lord to introduce his Bill, and then see what were its provisions.

Colonel SYKES said, his hon. Friend the Member for East Surrey (Mr. Locke King) had anticipated him in the remarks he was about to address to the House. His experience justified him in saying that it was a waste of time to discuss a Bill before hon. Members had seen its details. But, putting this consideration aside, unquestionably the noble Lord's measure would deprive the people of a constitutional right of great value, and he was unable to bring himself to believe that one of the first acts of that House, which had been elected by the people, would be to deprive the people of an important right.

Mr. HENLEY said, he would not detain the House more than a moment, for he thought that the first stage of a measure was undoubtedly a very inconvenient one to raise a discussion on it; but as the general question had been partly raised and commented upon, he could only repeat what he had said on several previous occasions—namely, that he did not like cutting the connection between the House of Commons and the people. The House went far enough—and indeed farther than he thought right—in what they did a year or two ago. And as far as this measure was concerned, as the present Parliament might be kept together for six or seven years, surely the people had a right to express their opinion if during that period a change should occur in the governing power of the country. It would, he thought, be a great calamity if a great change were made in those constitutional principles which had been so admirably set forth by the hon. and learned Member for Oxford (Mr. Harcourt), and he took this opportunity of congratulating the House on their having so sound a constitutional authority among them. He should be sorry to see any measure passed that would abrogate those principles which, in his opinion, were soundly laid down when the Act of Parliament passed in the reign of Queen Anne.

Mr. KINNAIRD said, that though no doubt this was an inconvenient stage at which to raise a discussion on a measure, yet greater inconvenience would arise if a Bill were allowed to be introduced when the majority of the House were opposed to its main principle, as he believed they were in the present instance. He thought it would be better to take the opinion of the House at once.

Viscount BURY said, in reply, that the speeches of the hon. Members for Brighton and Oxford, excellent as they were, ought to have been made on the second reading of the Bill. His hon. and learned Friend the Member for Oxford (Mr. Vernon Harcourt) had, he thought, not traced quite accurately the history of the statute. In the first instance, the House of Commons introduced into the Act of Security a long clause enumerating various persons who should be eligible for a seat in the House of Commons. All persons whose offices were not named in the Act were to be absolutely excluded. The Bill was sent up to the House of Lords, and was by them rejected. Two or three conferences were held between the two Houses, and in the end the Lords compelled the Commons to give way; but a provision was inserted with the view of saving the dignity of the Commons, to the effect that any Member accepting any Office whatever under the Crown should acknowledge the supremacy of the House of Commons by vacating his seat. The original intention, therefore, of the House of Commons, in making this concession, was, not to save the rights of constituencies, but to adopt a roundabout way, since they were debarred from adopting the plain way, to prevent the Crown from creating too many placemen. Far from being a great constitutional safeguard invented by the deliberate wisdom of our ancestors, it was a compromise forced upon them by the superior power of the House of Lords. Now, in his opinion, the present practice was very inconvenient, and productive of much waste of valuable time. Suppose, for example, a Government was defeated in the middle of June. In such a case there would be very little time available for the passing of the necessary legislation of the Session; and yet the Prime Minister, after spending at least three weeks in getting together his Cabinet, was obliged to go down to his constituency again for re-election. He maintained that this custom was not such a constitutional safeguard as the hon. and learned Member for Oxford had described it to be. Why should the House delegate to a single constituency—such as Tiverton, for example—the duty of deciding whether the man selected by the Crown for its Prime Minister was a fitting person to hold that high position. Surely the House of Commons ought to retain in its own hands the right of deciding such a question. Long before the Minister could have been re-elected by his constituency—or, it might be, rejected, in which event another complexity would arise — the House of Commons might itself have determined, on a Motion of Want of Confidence, whether the Prime Minister ought to remain in Office. They had had recent experience of the inconvenience of the existing system. He hoped the House would allow him to lay the Bill on the table for the purpose of discussion.

MR. GLADSTONE: My noble Friend (Viscount Bury) is certainly as well entitled as any man to ask at the hands of the House any courtesy which the House is accustomed to accord; because those who remember my noble Friend at former periods when he was a Member of this House—to which I am exceedingly glad he has returned—know very well that there is no man more competent to do full justice to the cause he has undertaken. But I think there has been a disposition on the part of some Members rather to overstate the extent to which the practice of the House is carried with respect to the introduction of Bills as an act of courtesy to individual Members. When a Bill contains details of a complicated character, bearing one upon another, and depending upon minute terms of expression, or even when anything that is serious may be said to depend upon the mode in which the measure may be drawn and its purposes expressed, then there is very great convenience in allowing the introduction of the Bill and deferring the objection that any one may be disposed to take to its principles; but when a Bill raises a point which is perfectly and absolutely simple, and which really involves no more than saying "Aye" or "No" in answer to a particular question, undoubtedly, so far as my knowledge and recollection go, it cannot be said to be the general, far less the uniform, practice of the House to allow the introduction of the Bill which it is seriously intended to contest on the second reading. Take, for example, the well-known cases of Bills for the introduction of Vote by Ballot. I believe I am correct in saying that, in very many instances, it has been the practice to contest the introduction of these Bills without waiting for the second reading; and that if, upon any occasion, a Bill has been introduced, and a division taken on the second reading, it has been due to the state of the House at the moment when the Motion was made, and the view taken, by the opponents of the measure, of the policy of postponing discussion, rather than to any general admission that a measure proposed seriously by a Member competent to do justice to it ought, as a matter of course, to be laid on the table; and upon this occasion we must feel that the discussion, though not a prolonged one, has, notwithstanding, taken the form of a discussion upon the principle of the Bill. My noble Friend (Viscount Bury) has stated well many arguments which can be urged on each side of the question, and both my hon. Friend the Member for Brighton and the hon. and learned Member for Oxford, who addressed the House with so much ability, and in a manner to lead us to entertain such great expectations in regard to his future contributions to our debates, have entered so far into the question that I own I think it would be a waste of time if on this occasion we were to vote upon anything except the principle of the measure. There are, no doubt, some inconveniences attending the operation of the existing law; but I cannot doubt, and I believe it is a conviction shared by both sides of the House, that after the settlement arrived at two years ago, it is premature to re-open the the question; and I would therefore recommend my noble Friend not to press the House to a division on this occasion.

VISCOUNT BURY said, he saw it would be useless to go to a division, and he therefore withdrew his Motion.

Motion, by leave, *withdrawn.*

LOCAL TAXATION.

MOTION FOR AN ADDRESS.

SIR MASSEY LOPES, in rising to move—

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the present amount, incidence, and effect of Local Taxation, with a view to a more equitable re-adjustment of these burdens—"

said, he felt his responsibility in introducing so difficult and complicated a question was not in any degree diminished since he brought it forward last year, for it had engrossed public attention during the last twelve months, and had been alluded to in almost every election address and hustings speech. There was scarcely any candidate who did not admit the existence of a grievance and pledge himself to do his best to remedy it. He did not take credit for originating the question, because it was brought forward twenty years ago by the right hon. Gentleman the Member for Buckinghamshire, and had been dealt with by other influential Members; but he had these advantages over his predecessors—there was but little rivalry and jealousy between the different classes and interests of the country at present, and therefore the matter could be discussed with greater temper and moderation than before, and by organization and united action legitimate influence had been brought to bear on the Government of the country. Within the last year or two the recently established Chambers of Agriculture had progressed marvellously, and they were calculated, not only to exercise a beneficial influence, but also to reflect credit on the industry with which they were connected. There had been no agitation, no indignation meetings, no attempt to set class against class, but any one who, like himself, had attended their meetings and taken part in their discussions must acknowledge the ability which had been displayed, and commend the moderation of language, the impartiality of tone and temper, which had characterized their proceedings. If it had not been for the assistance he had received from the Chambers, he would not have presumed to have brought this very difficult and complicated question before the House. A proof of the interest taken in it was the almost universal demand for County Financial Boards, which he had advocated from the first, believing that it was a sound constitutional principle that the ratepayers who found the money should at all events have a voice in its expenditure, although it was a question whether the Boards would be able to effect any appreciable diminution in the county expenditure unless the objects of it were limited. No one was more adverse to class legislation than himself, and he did not bring this question forward in the interest of any one class, for the interest of all classes were indissolubly connected, and to favour one class at the expense of another was not only in his opinion unjust and impolitic, but prejudicial to the public interest. To make the question of local taxation more intelligible he would say a few words upon the general tax-ationof the country, Imperial as well as local, with reference to its incidence and amount. In round numbers they levied in general taxation and spent on Imperial purposes the sum of £70,000,000 a year, while something like £20,000,000 a year was levied besides in local taxation. The general taxation might be divided into three grades: first, there were the Customs, Excise, Stamps, &c., which were indirect taxes levied in an imperceptible manner, and produced something like £60,000,000 a year; next, there was the Income Tax, which was direct, and was levied from a limited and wealthier class upon an annual income of £313,000,000, and at 6*d.* in the pound produced about £9,000,000. Those two grades were Imperial and national, levied for Imperial and national purposes, and to these purposes real property paid its fair quota. He now came to the third grade, which was local taxation. We levied by local taxation £20,000,000 a year, and this sum was levied from one description of property, which amounted in the whole to £93,000,000 of net annual income. This was also a direct tax, and from it there was no escape—no means of evasion. It was raised wholly, solely, and exclusively from one description of property, namely, real property (lands and houses), from one-seventh of the total annual income of the country, and from less than one-third of that which paid income tax. Local taxation was of two classes. There was, first, the local taxation levied for Imperial or general purposes, the poor rate, the police rate, and the maintenance of justice, &c. Then there was, secondly, that portion which was more purely local—that which was levied for the especial benefit of that property on which it was expended—paving, lighting, sewerage, &c. But the whole of the local taxation of the country was levied under the name of poor rate, and it was raised solely from real property, consisting of lands and houses; yet fully one-third of the amount so raised was diverted from the support of the poor and applied to other purposes. These purposes were miscellaneous and multifarious. He contended, therefore, that the name "poor rate" was a delusive expression. This rate was not in reality a single rate, but an accumulation of rates—a heterogeneous and incongruous mass of charges. He would endeavour to particularize some of them. There were the poor rate, with establishments charges, county rate, charges for lunatics, vaccination, registration, highways, police, administration of justice, expenses of gaols, coroners, and weights and measures, &c. His Motion had reference to the amount, incidence, and effect of the present system of local taxation, and he proposed to say a few words on each of these heads. He would like to have considered the principle, but he maintained that the present system was totally devoid of any principle, and that it was impossible to justify it on any principle of equity, law, or political economy. The whole amount levied for Imperial taxation was £70,000,000; the amount levied for local taxation £20,000,000. To show the increased and increasing amount of local taxation he would compare the first year, for which we had any reliable statistics on this subject, with some recent years. In 1776 the total amount levied was £1,720,000, of which, £1,556,000 belong to the poor rate, and £164,000 to county and other purposes, while in 1867 the figures were — poor rate, £6,959,000; county and other rates, £3,945,000; total, £10,905,000. These figures showed, therefore, that 180 years after the Act of Elizabeth the rate levied for county and other purposes amounted to only £164,000. Ninety years afterwards the total amount had increased 534 per cent.; the poor rate amount, 347 per cent; and the county and other rates, 2,305 per cent. Again, taking a shorter period —of thirty years, from 1837 to 1867—he found that in 1837 the total amount levied was £5,294,000, the item for poor rate being £4,044,000, and that for county and other rates being £1,250,000; and compared with the figures for 1867, as just given, it showed an increase in the total amount levied of 100 per cent, of the poor rate of 70 per cent., and of the county rates 200 per cent. Taking a still shorter period of six years—1861 to 1867—he found that the total amount levied was £2,302,000, showing an increase of 30 per cent for poor rates—£1,181,000—or 20 per cent. increase; and for county rates, £1,329,000, or 50 per cent increase. Comparing 1866 with 1867—the last year for which there were any published Returns—the figures showed that in 1866 the total was £9,989,000, with £6,439,000 for poor, and £3,550,000 for county and other rates, giving a total increase of £1,000,000, the increase on poor-rate being 8 per cent, and that on other charges 11 per cent. The Returns for the present year had not yet been published; but he thought that when they were published they would show a proportionate increase, because it appeared that whereas on the 1st of January, 1867, there were 963,000 persons chargeable on the poor rate, in January, 1868, there were 1,040,000 persons so chargeable. We had, therefore, one in every nineteen of the population chargeable on the poor rate, or, in other words, exclusively chargeable on one description of property—namely, real property, while the greater proportion, the bulk of the income and property of the country, went scot free, and contributed scarcely anything. Of the £20,000,000 levied by way of local taxation, £8,000,000 were raised for rates, taxes, tolls, and dues. To this amount the charge of land tax might be fairly added, besides £11,000,000 for poor rate and county rate. The amount raised by rates, taxes, tolls, &c., had increased £1,000,000 last year, and the debt £3,500,000. The total amount now reached £21,000,000 at least, exclusive of tithes, and this was raised from £93,000,000 of net annual income. The amount raised just now for the whole of our Imperial taxation was £70,000,000. If from those £70,000,000 we took £28,000,000, which went to pay the interest on debt, we had £42,000,000 raised for Imperial purposes, whereas we were raising £21,000,000 for local taxation. Then the £70,000,000 were raised from the United Kingdom—England, Ireland, and Scotland—while the £21,000,000 were raised in England and Wales alone. Was it not a glaring injustice that one description of property should be taxed at the rate of 2*s.* or 2*s.* 6*d.* in the pound, while all other descriptions paid nothing whatever? Could such a system be defended upon any legal principle? Was it in accordance with equity, with sound principles of political economy, or with the principles of right and wrong which governed the ordinary transactions of life? It might be said that the old Act of Elizabeth afforded some justification for the anomaly; but how did the facts stand? The poor rate was the oldest tax in this country, with the exception of the church rate, which he might remind the House had been so recently abolished. Up to the reign of Henry VIII. the poor were maintained by voluntary contributions, distributed by means of monasteries and religious houses, and when those establishments were abolished by Henry VIII. every man was expected and admonished to relieve the indigent according to his ability. The 43rd of Elizabeth was the first Act which empowered churchwardens and overseers to levy compulsory assessments upon real property, and by that Act those persons were instructed to rate every inhabitant according to his ability. The only practicable mode at that time was to rate the net annual value of visible property. Land and houses was the property then particularized, the only source of wealth, and, therefore, best any only test and measure of a man's ability. Funded property, or capitalized wealth, did not then exist to any appreciable amount, and on that account was not particularized. These were good reasons for limiting the relief of the poor to land—because land not only represented the entire wealth of the nation, but employed the entire population. But what was the case now? Was land at the present moment the only test of a man's wealth? On the contrary, the income derived from land only amounted to one-seventh of the whole income of the country, and land only employed one-fourteenth of the whole population of the country. Therefore the good reasons which existed in Elizabeth's time for taxing land solely for the relief of the poor did not now exist. He must also remind the House that, in comparatively later days, the Court of Queen's Bench having determined that stock-in-trade was liable to be assessed to the relief of the poor, Parliament had passed an annual Act since 1840 to prevent stock-in-trade being rated for that purpose. That exemption of one particular property from the tax was most unjust, as it threw an unjust share of the burdens on real property. Although he did not think it desirable that stock-in-trade should be taxed for that purpose, because such a tax would be of an inquisitorial nature, and therefore most unpopular, he demanded that some relief should be given to land from the additional burden thus thrown upon it by property legally liable to the tax being exempted from its operation. He considered there was still stronger claims for consideration. If he admitted, for the sake of argument, that real property by the law of Elizabeth was exclusively liable to the relief of the poor, he would ask how many of the other objects for which rates are now levied were ever contemplated by that Act? How many modern burdens had the Legislature added beyond the original contract? Had not real property, therefore, a right to ask for a limitation of poor rate to its ancient and original obligations? He would enumerate only a few of the additional charges placed on the poor's rate assessment during the last few years:—Registration of births and deaths imposed in 1838, £74,000; vaccination, 1841, £44,000; lunatics, 1844, £607,000; police, county and borough, 1856, £2,511,000; highways, 1863, £595,000; with turnpikes and education rates looming in the distance. Before the year 1846, no doubt, the possessors of land derived some advantage from the protective duties which in a degree compensated them for the burdens they had to bear. When those duties were abolished, Lord John Russell and Sir Robert Peel, who represented the two sides of the House at that time, stated that if a Free Trade policy were to be adopted it would only be just and right that some of the burdens peculiar to land should be removed. And what compensation had the landowners received for the losses they had sustained in consequence of the adoption of a Free Trade policy? Have they any exclusive privileges or exemptions? If so, give them even-handed justice, and he should be glad to see them abolished. True it was that in 1846 some slight changes in the local taxation were effected for their relief, but since that time the expenses of registration, of vaccination, of the maintenance of lunatics, of the police, and several other charges had been thrown upon real property. The whole world was now brought into direct competition with the tillers of our soil. If they are to hold their own, you must mete out even-handed justice to this important branch of industry and enterprize. It has to compete with countries where the climate is far superior, where land and labour are cheap, and where taxes are comparatively unknown. Again, it did seem absurd that when in these days of Reform the whole system of our Imperial taxation had been altered within the last thirty years, we were basing the whole of our local taxation on the Act of Elizabeth, passed 300 years ago. He might illustrate the injustice under which the landowners laboured by taking the case of two men, each possessed of a capital of £10,000, the one investing his property in the funds or other securities of capitalized wealth—and living, probably, in a lodging—and the other either purchasing land or sinking his capital in the means and appliances for farming land. The first man lived in selfish enjoyment, *fruges consumere natus*, while the other was engaged in increasing the produce of the earth, and thus in benefiting the community. The income of the one was safe and certain—without deduction or risk. He received it without wear or tear either of mind or body. The income of the other was subject to many contingencies—inclement weather, rinderpest, &c., and was at least precarious; moreover, it was acquired by anxious care, unremitting toil, and by the sweat of his brow. Both men enjoyed the same protection, the same security for their persons and property, by means of the poor rate, police rate, and the administration of justice. Both had the same use of the roads, and if bad, both had equal power to indict them. One paid more than his fair share towards these burdens; the other paid comparatively nothing. This was an unjust privilege, and an impolitic exemption. The result of the present system was to compel paupers to maintain pauperism—to compel men renting cottages of the value of £3 or £4 per annum to maintain those who were but little worse off than themselves, while those who had thousands a year derived from personal property were not required to pay a farthing to the poor rates. He submitted that this was a great hardship and injustice, as many of these poor men when summoned for non payment of rates, and pleading their inability, could not but be aware that some of those who were adjudicating upon them had evaded their liability and the spirit and intention of our Law that "every man should contribute according to his ability." The present system of local taxation appeared to him to be not only unjust but impolitic, and detrimental to the public interest, since it tended to discourage industry and paralyze enterprize. It withdrew capital from the land, which was diverted into other channels both at home and abroad, because they offered better promise of investment; it tended to diminish the produce of the country, since by diverting capital from the land it limited the employment of labour and thereby increased pauperism. It was an alarming and deplorable fact that the country was deriving so much of its income from funds lent to foreign countries, at the same time strengthening those countries, while by the same process this country was being weakened. The amount of capital invested in farming was far below its wants. Thousands of acres in this country were starving for want of improvement; while, at the same time, there were thousands of the population starving for want of employment. There were thousands of acres of land that might be profitably reclaimed and cultivated, but what inducements were given to effect that result? If an occupier tried to improve his land, to make it worth 30*s*. an acre instead of 10*s*., the assessment committee were down upon him directly, and increased his orignal burdens. They, in fact, levied another income tax of 10 or 12 per cent upon him, on the ground that he had improved his land, although before his capital was invested in land it did not pay a farthing towards local taxation. That was a great hardship and discouragement to an enterprizing tenant, while it was a bonus to the indolent. He should be told that this was a landlord's question; but he would now show how injuriously it affected house property. Every Member of that House who represented a borough must know how prejudicially house property in towns was affected by excessive local taxation. What inducement was given to landowners to improve and erect better dwellings for the working classes? The effect of this heavy local taxation on house property was to overcrowd families in one room in a most indecent and indelicate manner. It not only tended to the demoralization of the mind, but to disease of the body. At present it did not pay to erect and improve the dwellings of the poor; but if there were some little remission of local burdens, a greater inducement would be given to erect a better class of dwellings. House property was, indeed, more affected than land by the existing heavy local burdens. He found that by the last Returns of house property the gross annual income of house property was rated at £62,000,000 a year, whereas land was only rated at £46,000,000 a year. Suppose a man had £1,000 to invest, and doubted whether he should put it into land or house property. If he put it into land, he only expected to get 3 per cent; but if he invested it in house property, he expected 7 per cent. or 8 per cent for his money. It was clear that in the latter case he paid much more local taxation than the man whose capital only brought him 3 per cent. He should be told that this was a landlord's tax, and that the landlord and not the occupier would get the benefit of any remission of local taxation. He would for the sake of argument admit this to be true but why should the consideration of what was right and just be influenced by looking solely at the particular party to be benefited by a righteous and impartial adjustment? He took it for granted that the general feeling was against landlords; but he would ask the House to have some consideration for other classes. There was a large body of yeomen in this country who farmed their own estates. There was also the numerous and influential class of freeholders who lived in their own houses. If the House had no consideration for landlords, had they none for persons who were the backbone of the country, but who were gradually being reduced both in their numbers and circumstances? Many of these yeomen and freeholders derived their estates from previous generations, and when they were asked why they parted with their land, their answer was that the burdens upon land had so much increased that it was impossible profitably to farm their own property, and that they sold their ancestral estates in order to invest their money in more remunerative pursuits. The next objection that might be made was, that although local burdens had increased yet the value of property and houses had also increased. No doubt it had increased, but how? The union assessment had increased the rateable value of property, but he doubted whether it had increased the intrinsic value. The Union Assessment Act was a very good measure for increasing the income tax, but it tended in every parish to raise the rateable value of every estate proportionately to the value of the highest, and it never brought it down again. Admitting, however, that the value of the land had been increased to the extent of the local burdens, it had been done by the investment, not only by the owners but the occupiers, of capital, which previously to its investment had not paid one farthing towards these burdens. If, however, the owners and occupiers of land were to cease to invest their capital, the rateable value of real property would diminish instead of increasing. He should, no doubt, be told that the landlords had a great advantage in the land tax, that they obtained a permanent commutation of land tax at a valuation now inadequate by the Act of William and Mary, 1692. If hon. Gentlemen would refer to the language of the first Act creating the land tax, they would find, that although called a land tax it was intended to be a tax on personal as well as upon real property. But reading the statutes somewhat further on they would find as regarded personal property, that first a portion in 1825 and ultimately the remainder was exempted from the land tax in 1833; and the exemption was attended with the further hardship, that the owners and occupiers, already subjected to their legitimate proportion of land tax, were obliged to pay the quota which ought to be contributed by the owners of personal property as well. Between 1866 and 1867 the poor rates and county rates increased £1,000,000. By whom was that paid, the owners or the occupiers? Would any Gentleman rise in his place and say that he allowed from his rents an abatement corresponding to the amount of increased taxes paid by his tenants? And if not, was it not folly to call this an owner's as distinguished from an occupier's tax? What was the meaning of the demand so generally made on the part of the occupiers throughout England for County Financial Boards? Would they evince such a strong interest in the supervision of expenditure if they themselves were not called upon to contribute to it? How to redress the evils complained of was a difficult problem, but he believed not insuperable. What was needed was a system of equitable taxation, combined with a system of local administration. No man valued more highly than he did the powers, privileges, and advantages of self-government; the benefits resulting from local management and supervision, which he regarded as the only system able to prevent extravagance, and to combine economy with efficiency. But without sacrificing the principle of local self-government, he thought there were certain advantages capable of being combined with its working. It was the business of independent Members to state a grievance, and of the Executive to find a remedy; but he ventured to suggest a mode by which some remission from the burdens complained of might be granted. Why not take away from the poor rate and county rate burdens which had recently been placed upon them—such as the police, lunatics, maintenance of justice, highways, vaccination, registration, and other charges of a like nature? These were all national purposes and national obligations, from which the community at large derived as much benefit as the owners of real property. Did not the owner of personal property require, for instance, the protection of the police quite as much as the owners of estates? He made equal use of the roads, and the same remedies were open to him in case the roads were bad as to those who paid for their construction and maintenance. Year by year the Executive Government were acquiring and exercising greater power in all these matters, being able to apply a very substantial threat—namely, that if their recommendations were not acted upon, the allowance of one-fourth, or whatever it might be, which was made by the State, would be no longer continued. In Poor Law matters the Government now went into minutiæ—examining the dietary and prescribing the quantities of gruel and of soup. If they took so much power into their own hands they ought also to take some of the responsibility, and give a larger amount of assistance from the national funds than was at present afforded. As a principle of abstract justice, it might be said that the national poor ought to be maintained by the assessment of every description of property; but this might be considered too radical and too revolutionary a measure. Half a loaf, however, was better than no bread, and he was quite prepared to accept a compromise. The best means of satisfying the public mind upon all these questions, and those also who felt themselves aggrieved, was by a full, fair, and impartial inquiry, which he hoped the Government would grant. For that purpose he considered a Royal Commission preferable to a Select Committee. They were all anxious to drag this question out of the arena of party politics, and, whatever might be the composition of a Committee of the House of Commons, it was always difficult to divest it of a party character. A Royal Commission, moreover, would enable them to enlarge the area of selection by appointing Members of the other House of Parliament, and practical men not in Parliament, who had given time and attention to the subject. A Commission would not only be the more impartial tribunal, but its deliberations were likely to lead more promptly to legislation, for the amount of Public and Private Business to be disposed of in the present Session rendered it well-nigh impossible that a sufficient number of Members of the House would give undivided attention to the subject. Committees of both Houses had already very fully considered this subject. In 1850 there was a Committee of the House of Lords, presided over by Lord Portman, which affirmed the principle that the "relief of the poor was a national obligation, and that every description of property should contribute to it." He wanted to advance a step further; and therefore he urged the Government to grant a Royal Commission in order to a full and impartial investigation. That was the only course which would command the confidence of the country, and lead to a satisfactory settlement of this long-vexed and very difficult question. And now, in conclusion, he must thank the House for the patience and kind indulgence with which they had listened to him. He might have failed to do justice to the subject he had undertaken; but he had implicit faith in the strength of his case and in the justice of those who had to adjudicate upon it. This was no sentimental grievance—it was a real and substantial one. All must admit that taxation was an evil—it was a necessary one; but any undue proportion of taxation thrown upon any particular class or interest was not only an evil, it was an unmitigated curse—a national disaster, for it tended to blight and paralyze that interest. In these days they heard much of equality; but in his opinion equality was a less pre-eminent consideration than equity; and in nothing was equity or equality more valuable than in the matter of taxation. He asked no favours, no privileges, no exemptions; he only asked a fair tribunal and a full and impartial investigation of their grievances. And to induce the Government to accede to their wishes, he must remind them of the pledge that was given through Sir Robert Peel and Lord John Russell—by both sides of the House—that when they had adopted the policy of Free Trade, it would be only just and right that a policy of Free Trade should be accompanied by a policy of Fair Taxation. The hon. Baronet concluded by moving his Motion.

Mr. READ said, he could have wished that the task of seconding the Motion had fallen on some Gentleman on the other side of the House; because this was not a party question—it was not a question of town or country, but one affecting all classes of Her Majesty's subjects. He had been selected to second this Motion because he happened to be this year Chairman of the Central Chamber of Agriculture, and had in that capacity the honour and privilege of introducing an influential deputation to the Prime Minister on the subject. They had been received with that kindness and courtesy which the right hon. Gentleman always extended to those who approached him on Public Business. He took great pains to ascertain the whole of their views; he was good enough to say they had put their case fairly and moderately before him, and informed them their case should have the earnest consideration of himself and his Colleagues. He was quite sure that was not an empty phrase to send them away, but that they should have that consideration from the Government which had been promised. After the very able and lucid statement of the hon. Baronet (Sir Massey Lopes) it would be impertinent to go over the ground he had so well trodden, but he might be allowed to make one or two supplementary remarks. No doubt they would be met by the cuckoo cry that this was a question for the landlords only. That rural ghost had been raised on so many occasions it had ceased to frighten the most ignorant agriculturist. Whenever the farmers asked anything from the Legislature this was the answer they received; if they called for a repeal of the malt tax, they were told the profits would go into the pockets of the landlords. In his opinion all restrictions and burdens on land were hindrances to the production of food, which was the primary and most substantial wealth of any nation; and, therefore, all those burdens and restrictions that could be ought to be removed. If farmers, in the first instance, gained some pecuniary advantage by the remission of either local or Imperial taxation, they could not expect to keep it all to themselves; they were very willing that the consumers of what they produced, as well as the labourer and the landlord, should share the profit with them. The theory of hiring land was this:—A tenant went to a landlord and said—"There are certain burdens on the land, and I must give you, in consequence of these burdens, so much less rent." That was the theory, and it was also the practice; but who paid during the tenure any increase of those burdens? Most certainly the tenant. During the last thirty years poor rates in this country had doubled. Rents had risen, and, therefore, the tenant had paid the increase. Although land might have risen in value, yet common agricultural land which had not been improved by the investment of either the tenant's or landlord's capital, or which was not benefited by the development of some trade or manufacture, or by the neighbourhood of a railroad, was not of more saleable value than it was thirty years ago. Only a very few years ago he hired the farm he now occupied, and already he was paying nearly 25 per cent more in rates than his predecessor, and, as he had no anticipation of leaving his farm, in all probability he should continue to pay that increase during the term of his natural life. They were told they had better leave well alone, for, though they were burdened by local taxation, they had exemptions from Imperial taxation. Well, he was ready to have those exemptions considered. What were those exemptions? They escaped the duty on fire insurances; let that exemption, then, be done away with by the duty on fire insurances being abolished altogether. Then, the farmers had paid no tax on agricultural horses. He said that the Government that would tax the motive power that would produce a bushel of wheat, must also tax the motive power that would produce a yard of calico. It was contended that they retained Protection in the shape of the 1*s.* of duty on imported corn. If that was a protective duty and not a fair import revenue, by all means rend away that miserable rag of Protection He believed they would have from the great cities rather than from the farmers the cry of a return to Protection—what they wanted and asked was an extension of Free Trade. Then they were asked—"Did they wish their stock-in-trade to be assessed?" In the first place, he believed that, by the strict letter of the law, a farmer's stock-in-trade was now assessed. They said they did not wish to assess anybody's stock-in-trade, but they would be asked to pay a small contribution on their profits. A national rate was considered to be the question of the day, and they were told that local administration of a national fund must lead to extravagance, and that they would have jobbery and the worst kind of centralization. He admitted all this; but they did not ask for it. They simply asked for inquiry into all the incidents of local taxation, and left the remedy to the Royal Commission which they hoped the Government would give them. They had been asked why they did not suggest a remedy? He replied that they had suggested a remedy. They suggested a further contribution from the Consolidated Fund. But then up started a Gentleman who objected that Ireland and Scotland contributed to this Fund, and that, therefore, it would not be just to use the money for the benefit of the English only. Some other objections were made to that proposal, so they suggested that a property tax might offer a better and fairer means of providing the funds, and being easily divided between the three kingdoms. As to local extravagance, there were the Poor Law Board and the Home Office—the one to look over the guardians, the other to control the magistrates. If this were not enough he saw no particular objection to a Government Chairman of the Quarter Sessions or a Government Chairman of Poor Law Boards, should the State grant substantial aid. But if the poor rates went on increasing as they did, the burdens would become intolerable; £20,000,000 was now raised annually in local taxation. The hon. Baronet had divided the different items under two heads, but he (Mr. Read) would prefer to subdivide one of those divisions. He thought the police, the Militia, the gaols, the coroners, the weights and measures, and the vagrants altogether belonged entirely to the State; that they were connected more or less with the administration of justice, and it was the Consolidated Fund that should pay the whole of them. The magistrates who were employed to regulate these matters were the servants of the Crown; they had nothing to do with the ratepayers; and if the Government would furnish the money there would be no need of County Financial Boards. Under the second head came lunatics, paupers, vaccination, registration, and such like. It was the duty of every citizen to contribute to the extent of his ability, because the Poor Law was nothing more or less than a humane police rate, going on the principle that prevention was better than punishment. The law said no man should starve, which did away with the necessity of begging and stealing, and that was a protection to all property. The old Poor Law of Edward VI. empowered the parish officers to gently ask every man and woman for a contribution; but as that voluntary system did not answer, in the 43rd of Elizabeth it was enacted that every inhabitant should contribute to the relief of the poor according to his ability. There were two ways in which they could have these contributions in aid of rates—by a fixed portion from the State, or they might pay the establishment charges which were now fixed by the Poor Law Board, and some of them now partially paid by the Government. Under the third head he feared they would still have a large expenditure—rural highways (he did not mean turnpike roads), church rates, where they occurred, water supply, drainage, improvements, lighting, sewerage, and such like, must be a local charge. But he believed that a just and rigid inquiry would show that some remedy might yet be found by which wealth might be made to pay a little more and poverty a little less. It was said that there had been plenty of inquiry already, and that statement was undoubtedly correct; but the result was that but little had yet been done in favour of the agriculturists. In the days of Protection it might be right that the land should be exceptionally taxed. In 1850 the famous Committee of the House of Lords reported that all property should contribute towards the maintenance of the poor; but since that they had had the parish abolished, the area had been enlarged, but the worst was that no new property had been brought into the operation of those rates. To screw up all real property to bear the extraordinary force of local and imperial taxation, as proposed by the Bill of the President of the Poor Law Board, would in a measure increase rather than remedy the evils complained of. If all real property were fairly assessed the burden upon it could not not be quite equalized unless they were to adopt the American plan, by which the rates were levied on the profits rather than rental. He would take three farms, averaging 400 acres each, on each of which were employed thirty hands, and the profit on those farms might be called £300 a-year each, but the assessment was £600. He stepped into a neighbouring town and took three factories, employing 350 men, women, and children. The profits were reckoned at £3,000, and the average assessment to the poor rate was only £400. Besides which, the manufacturer might, in times of scarcity and distress, shut up his mill and pay just nothing. Then if they took the case of the artizan, earning 20*s.* a-week and spending 2*s.* 6*d.* a-week for rent. His cottage was at least assessed at £5, and he had all his borough, poor, and parochial charges to pay. The parochial clergy were taxed on every farthing of their income, and they were expected to pay double rates in respect of village charities, supporting schools, and in relieving the poor. There were many exceptions on real property which still existed, and he trusted that they would soon be abolished. He might mention woods, mines, and game. There were also new burdens threatened to be put upon owners and occupiers. There were turnpike, education, and election expenses. They would resist these, and all other charges, so long as the burdens fell upon one-seventh of the income of this country. If a man came to a neglected property, and employed his capital in improving it, he was immediately taxed to the extent of 2*s.* 6*d.* in the pound. With the tenant was the same. In the case of a labouring man desirous of having a cottage of his own, how was he affected by the rating system? He had probably put away his small savings in the Government savings bank, where it is safely out of the way of rates and taxes; but the very moment he invested his money in a piece of land and built a tenement, down came the overseer and taxed him. In conclusion, the hon. Member thanked the House for the courtesy and attention which they had shown to his rambling, incoherent, and unconnected observations. He believed that the case demanded, and that it would receive, a full and impartial inquiry.

Motion made, and Question proposed,

> "That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the present amount, incidence, and effect of Local Taxation, with a view to a more equitable re-adjustment of these burdens."—(*Sir Massey Lopes.*)

MR. GOSCHEN said, that two questions were before the House—first, the reality of the grievance alleged; and, secondly, the remedy proposed for it. The grievance consisted in the incidence of local taxation; the remedy was to refer the subject to a Royal Commission. Now, the hon. Baronet who had so ably raised the question admitted that local and Imperial taxation must be considered together. He spoke of the Imperial taxation as amounting to £70,000,000, and the local taxation to £20,000,000; and his logical mind saw that the two could not be treated separately. What, then, was his proposal? To refer these indivisible questions to "a fair and impartial tribunal"—namely, a Royal Commission. No doubt, a Royal Commission would be fair and impartial; but was the House of Commons prepared to refer the Budget of the Chancellor of the Exchequer to a Royal Commission? ["Oh!"] Everyone must admit that, as the hon. Baronet himself showed, it was impossible to separate the two questions, and, therefore, he repeated that in referring local taxation you were practically referring Imperial taxation to this tribunal. How could it be otherwise? The remedy proposed was to make further contributions from Imperial to local funds. It might be perfectly right to do so. He was not at this moment contesting the policy advocated by the two hon. Gentlemen who had spoken. He had not yet said that the grievance complained of was not a real and serious grievance; but he maintained that, if such a grievance existed, there was but one tribunal which could apply a remedy, and that was the House of Commons itself. He did not believe that the majority of the House would be prepared to refer a question of policy of this kind to a Royal Commission. Royal Commissioners were usually appointed to inquire into intricate and complicated questions of fact. Could any precedent be found for referring a matter of this importance to an irresponsible, though fair and impartial, tribunal like the one suggested? He had looked through the list of Royal Commissioners for the last thirty years—they had cost the country, by the way, not less than £1,000,000, but he had not found a single instance in which a question of taxation of such moment as this had been referred to a Royal Commission. He admitted that, as to the grievance itself, every point connected with the local taxation of the country should be made perfectly clear. But it was not difficult to ascertain the facts. Parliament had not got to deal with private bodies, but with public taxes administered by local officers, and with details which it was comparatively easy to obtain. Last Session he himself had alluded to this subject, and had complained of the Returns that were made. He regretted to say that the Returns issued by the Home Office again contained many errors similar to those then pointed out. The Returns were issued early in December, but the late Chancellor of the Exchequer had endeavoured to supplement them by a very carefully drawn Return which was now being made by the officials of the Poor Law Board. When these were produced the House would be able to form a better judgment than they now could form on the subject of local taxation, and the House would then have to decide, not upon details, but upon questions of principle. If it then appeared that the aggregate amount of local taxation upon certain kinds of property was too great considering their contributions for Imperial purposes, it would be the duty of Parliament to deal with that question; and he trusted that in this matter the House would not part with one of the most important functions which it could have to discharge. It was generally held that a private Member could not initiate a subject of Imperial taxation; this was of such importance that the Government were looked upon as responsible. But what a wide departure it would be from that principle if this duty were undertaken not by the House of Commons, but by a Royal Commission! The hon. Gentleman opposite said it was not his duty to propose a remedy; he had simply to ask the Executive Government to do so. Certainly it was the duty of the Executive Government to deal with such a grievance as soon as it was made out, and he did not think the Government would shrink from their responsibility.

He was glad that both the hon. Members who had introduced the subject had been careful to assure the House that this was not a question between town and country, between owner and occupier, landlord and tenant. It was undoubtedly not. The whole country was equally interested in the question, nor could you say of local and Imperial taxation that one was borne by one class and one by another class. The proper plan was to adjust both in the most convenient manner possible, so that the aggregate charge might fall equally upon all. If, however, you found that one kind of property was more available for local and another for Imperial taxation, it was not necessary that each should bear the same proportion of the same charge, provided the difference was allowed for—provided that was, that if the Imperial taxation was a little heavier, the local taxation should be a little lighter, and *vice versâ*. For example, it would not be fair that all property should be exempt from poor rate except real property if it were found that real property contributed the same amount for Imperial purposes. This was the point of view from which the question must be considered; and it was hardly fair to go back to 1776 and see what was borne by the land then. The hon. Baronet pointed out, correctly enough, that the burden borne by the land was at that time exceedingly small; but he did not state what was the Imperial expenditure then, so that the two might be compared; nor did he state what was the amount of rateable property in 1776. Now, he (Mr. Goschen) had not picked out any particular years, but he found in an interesting Paper published in the Appendix to the Report on the Taxation of Ireland that in 1815 the amount of the poor rate, including the county rate, was £8,128,000, while at present it was £10,000,000. The hon. Gentleman had spoken of years when the poor rate was only £4,000,000. Why not go back to 1818, when the poor rate was £8,000,000? It was deplorable that the poor rate should have increased so much of late years; but it had not increased so materially if you took the last half century. Between 1865 and 1868 the total increase, excluding the metropolis, had been 16 per cent. In the metropolis it had been 45 per cent, so it was quite clear that the metropolis had contributed almost one-half to this increase in taxation. It was perfectly fair for the hon. Gentlemen opposite to put the question before the House as they had done. They were better acquainted with the country than with towns, and though they alluded to towns their argument was based upon the position of the country. The hon. Baronet had stated correctly enough that of the rateable property which now contributed to local taxation, £60,000,000 were house property, and £40,000,000 landed property—making £100,000,000. [Sir Massey Lopes said, that he had put down the net rental at £93,000,000, the other amount being the gross rental.] Yes, but then the hon. Baronet ought not to take the net rental in estimating what fractional part it formed of the income of the country. He ought to take the gross estimated rental, which was not £93,000,000, but £110,000,000, and the assessment to the income tax of that property was £130,000,000. He only gave those figures, however, to show that the statistical portion of the hon. Baronet's statement might easily be met by a counter statement, by selecting different years and making the estimate on a different principle. He did not mean to deny that there had been a considerable increase in local taxation, and he believed that that increase had fallen far more heavily on the towns than on the county parishes. In 1815, land rated to the support of the poor amounted to £37,000,000, and other property, such as houses, coal mines, and so forth, to £16,000,000, so that, at that time, it might be said that two-thirds of the charges fell upon the land. At present, however, land rated to the support of the poor amounted to £46,000,000, and other species of property to £84,000,000, so that only one-third of the charges now fell upon land. He merely made that statement to justify what had been said by hon. Members opposite and by himself—to show that this was not a question as between town and country. It was needless to go into the many questions which had been gone into by the hon. Baronet (Sir Massey Lopes) as to the price of land and the capital which was put into the land. So far as this matter was concerned, he thought they had better avoid those illustrations which applied simply to landlords and tenant farmers; because, if they had a grievance, the ratepayers in towns had certainly theirs, and though he might take a somewhat biassed view of it, he thought his constituents in London were as much, if not more, than any class interested in a diminution of local taxation. He earnestly trusted that the subject of local taxation would continue to occupy the attention of the House. It was certainly occupying the attention of Her Majesty's Government, but he thought that, considering that Returns were within a few weeks to be submitted to Parliament on the subject, and that an additional staff was now engaged in the preparation of those Returns; considering, too, that the new Parliament had as yet had no opportunity afforded it of trying its hand at the subject, or even of giving its opinion on it, it would be an almost unprecedented course to refer the matter to a Royal Commission. If, therefore, the Government did not feel it to be compatible with their duty to refer a question of such great moment to a Royal Commission, he trusted that no one in the House, or in the country, would see in that determination the slightest intention to disregard the views which had been put forward, or to ignore the importance of the subject itself. On the contrary, if the Government desired to get rid of a troublesome question, and to put it aside for two or three years, no proposal could be more welcome to them than that of hanging up the subject, as so many others had been hung up, by agreeing to the Motion for its reference to a Royal Commission. To this determination on the part of the Government he thought he might fairly point as a proof of their sincerity in the matter. He was, however, fully impressed with the necessity for carefully ascertaining and collecting the facts before proceeding to deal with the subject, and could assure the House that there was a strong desire in every Department of the Government to co-operate in the work of ascertaining every detail, and to co-operate with the hon. Baronet and every one who took an interest in this subject.

MR. LIDDELL said, he agreed with the right hon. Gentleman in thinking that the objections to committing this great and difficult question to the decision of a Royal Commission were well founded, and that it would be better for the House itself to undertake the responsibility of solving the question. He did not however gather from the right hon. Gentleman's speech why it would not be well to submit the question to a Select Committee. His great objection to the system of local taxation, as it was at present carried on, was its utter want of principle. The absence of principle to which he referred was strongly exhibited in the case of Militia buildings. Against the Militia he had nothing to say. He believed them to be, if possible, more valuable to the country than the standing Army, and should like to see rather more spent upon our reserve forces and rather less upon our standing Army; but he could not understand upon what principle of justice any charge connected with this force should be thrown upon the counties. It was perfectly true that these troops were raised in the different counties, but it was the country generally and not the counties to whom these services were valuable; for—save perhaps, once in a century, when called out to suppress a riot—they were embodied solely for purposes of national defence. He could understand why certain localities should be called upon to pay for the repression or discouragement of crime and pauperism in their particular districts. Local taxation should sometimes assume the form of a penalty upon localities for the neglect of social duties, but from this principle we had to a very great extent departed, because from the national Exchequer we provided large sums for the prosecution of criminals and the maintenance of prisoners convicted at the assizes and quarter sessions. The great object which he hoped would be attained by an investigation by a competent Committee would be a careful classification, by which they would be able to learn what objects were to be supported at the national expense, and what at the expense of the various local ratepayers. If there was one thing more purely national than another it was the care of the insane. No amount of pressure or local taxation would prevent the birth of a single lunatic, and the care and maintenance of the insane ought surely to be borne by the nation at large, especially when it was remembered that there was no item of local expenditure which had been more immensely augmented by the action of that House and by the humane requirements of Parliament. Now, his right hon. Friend the Member for Wolverhampton (Mr. C. P. Villiers) had spoken truly when, as President of the Poor Law Board, he said that the complexity and difficulty connected with the raising of the funds for the support of the poor were not so much to be attributed to the law itself as to the construction which had been put upon it by the Judges. They had decided that all property which was not specified by name in the Act of Elizabeth should, *ipso facto*, be held to be exempt from local rates, whereas the clear intention of that Act in naming particular descriptions of property was not to exempt others, but to render the assessment of those particular descriptions more certain. That was the opinion held by Mr. Lumley, and no man had studied the subject more closely. He was glad, he might add, to hear his hon. Friend behind him (Sir Massey Lopes) disclaim any intention of rendering stock-in-trade liable to local taxation, but personal property ought, he thought, in all justice to pay its quota to the relief of the poor. But how was personal property to be reached for that purpose, and, when reached, how was it to be allocated? Let him suppose, for instance, that a man living in a villa at Putney had a farm at Uxbridge and £20,000 lodged in the Westminster Bank. It was easy to ascertain what the £20,000 invested at 4 or 5 per cent ought to pay; the great difficulty was to decide how it should be allocated. Would Putney have a right to claim it, or the parish of Westminster, or Uxbridge, or would portions of it be due to each? The subject was one on which the House was not without the advantage of being able to appeal to experience. For 200 years in Scotland, by the old law of the country, the means and substance of a man were liable to pay rates. But as trade and commerce extended in Scotland the difficulty of ascertaining how much each man ought to pay became so great that recourse was had to a sort of arbitrary assessment, under the operation of which the burden of proving whether the amount to which a man was assessed was or was not correct was thrown upon himself. The result was that he had to submit to an inquisitorial search into his circumstances, not by persons sworn to secresy but by his neighbours, who perhaps happened to have an interest in learning the precise position of his affairs, and the system at last was felt to be so great a grievance that a remedy was sought in the division of property into two or three grades, and rating it on a graduated scale. That occurred in 1845, but, in a Report of the Board of Supervision of the Poor, issued in 1849, only five years afterwards, it was stated that, out of 625 parishes so assessed upon "means and substance," 499 had voluntarily relinquished the system. His object in alluding to this was simply to show the difficulties by which the question was beset, and which it was their duty to face. He did not wish to raise up phantom difficulties, but certainly that example of Scotland, where the laws on rating were better and simpler than in England, was not a very encouraging one. The next point to which he wished to refer was the complexity which enveloped the mode of keeping local accounts. As they were now kept it was almost impossible to unravel them, and it would be the duty of a Committee, he thought, to recommend their being presented in some more simple and intelligible form. There was a very strong feeling existing in the country with respect to the general question before the House, and he was glad to see that the Government were prepared to lend a ready ear to the suggestions made to them. He could not help thinking that a considerable amount of the agitation at present going on was to be attributed to the incidence of the highway rate. The experience they had had of the working of that rate was anything but satisfactory. In his own part of the country no legislation had ever caused more dissatisfaction amongst the ratepayers than the "Highway Acts;" and the Acts under which the rate was imposed would not, he believed, work harmoniously until the charge was made coincident with the area of management. A strong feeling had been expressed by some Members of that House that, in addition to the highways, the maintenance of turnpike roads also ought to be thrown upon the rates. For his part, he thought the system of making those who use the roads pay for their maintenance an admirable one; and, in the existing state of feeling, it would be very unwise to abolish the turnpike trusts, and throw the maintenance of those roads upon the rates. He trusted this discussion would not close without some authoritative declaration that the inquiry asked for was approved by the Government. The House had been told that Returns were forthcoming; but if they proved to be of the complex nature of those already in the possession of hon. Members they would not give satisfaction to the country, which demanded and would rest contented with nothing short of a *bonâ fide* searching inquiry into the whole subject, conducted by a competent Committee, with a view to a strict definition of what were fit subjects for local and what for Imperial taxation.

MR. WHALLEY said, the incidence of taxation was a question, not of party, but of political science. He contended that the constitutional principle was to tax the land and fixed property of the country, and that this principle had never been departed from to advantage. The parliaments of the Channel Islands, each of which enjoyed the privilege of self-taxation, had formerly followed the present vicious practice of the English Parliament; but, discovering their error, they now taxed only real property, and left the trade, the brain, and the muscle of their population free from all impost. And this was done although the power of taxing rested exclusively in the hands of owners of real property. The school of political economy whose views he had risen to express had a still stronger argument than the experience of those islands in the fact that all the parishes in England, in their little parliaments, whilst they originally had, according to the hon. Baronet, the power to tax stock-in-trade, had found by their practical experience that it was better to leave the grocer, the baker, and the other traders free. He trusted that the House of Commons would show the same wisdom as that which had been displayed by these local parliaments, in leaving brain, muscle, and commercial capital free to develop themselves for the general benefit of the country. He protested against the observations of the President of the Poor Law Board when he said the question was simply whether the parishes should be relieved of taxation by throwing the charges enumerated by the hon. Baronet upon the Consolidated Fund. Was not the land already compensated by the income tax and sugar, tea, and other similar duties? In 1699 the land tax was settled at a fixed amount. But for that it would have been more than sufficient to defray all the expenditure of the country. There would have been no need of taxation upon tea or sugar, of the income tax of the present day, or of other imposts that diminished the comforts and crippled the industry of the country. He would state a broad proposition and challenge contradiction. There were only two kinds of property that could possibly be subject to taxation, and they were property which was fixed, and which, whatever amount was put upon it, could not run away, and property which consisted of the intellect or muscle of individuals, or the money in a man's pocket; but to attempt to tax the money in a man's pocket, or his muscle or intellect, would be impolitic, because it would interfere with the growth and progress of the nation.

MR. HENNIKER-MAJOR said, that so much had already been said on this subject, not only in the House upon that and former occasions, but outside it, that he should not have ventured to address them did he not as a county Member take a great interest in the matter, nor would he now do more than make a very few remarks. He could not claim the indulgence of the House as a new Member, always given to those who address it for the first time, but he must ask the House to extend to him that indulgence which it had always granted him when he had on previous occasions addressed it. In asking for an inquiry there were two things to be considered—one the grievance sought to be redressed, the other the mode for remedying it. One ground on which inquiry was sought for was that the Act of Elizabeth, of which so much had been heard, intended that the poor rate—and this was the most important rate to consider—should be levied on all according to their ability to pay it, and not exclusively on one kind of property. In all reason this must have been so, for would it not in any other country have been a cause of astonishment that one particular class of property, besides bearing to a great extent the ordinary taxes, should have an extra burden thrown upon it. He never could believe that this was intended, and even if it had been it must be remembered that at that time poor rates were only for strictly parochial purposes; whereas now, independently of other charges upon them, the maintenance of the poor must be considered as of national importance. Whatever the law might be, the bare fact of these charges being placed upon one-third of the income of the country was sufficient to call for immediate attention. The right hon. Gentleman the late Premier had made a most remarkable speech in 1849 on this subject—remarkable for this reason, that, although delivered twenty years ago, if any one wished to see the present reasons for an inquiry well and powerfully put, he could not do better than read that speech. The right hon. Gentleman then said that the matter called for immediate re-adjustment, for £10,000,000 annually was being levied by local taxation; how much more, therefore, now was it necessary when, as far as could be ascertained, £20,000,000 was levied annually? He had no doubt, however, that it would be admitted on all sides that there were just grounds to go upon for revision; he would, therefore, say no more on that head. As to the remedy, some might say there was no cause for inquiry—that the Government of themselves could bring in a scheme without it. In fact, schemes had been proposed by various people, some of them very good ones; but he could not but think that the subject was such a complex one that no plan could be brought forward with a fair chance of settling the question without a full inquiry in the first instance. When the present state of the law was considered, when it was considered that some provisions could not be, others were not carried out; when the difficulty of reviewing in the House the whole state of the law and re-considering its bearing on the various interests concerned, now and for the future, was taken into account, as well as the delay that would be occasioned, and, above all, the fact that the question was one of very great magnitude and scope, far larger even than any question of Imperial taxation, he could not but think that inquiry was necessary. The rating of metallic mines was a question in itself whether the Act of Elizabeth ever intended them to be exempted; and, if so, whether it was fair, as at present, that a burden should be placed on the ratepayers of a district where a mine was situated to support a population which were perhaps brought into the neighbourhood to work the mine, and to the maintenance of whom, when they became paupers, the mine itself did not contribute. No doubt important steps had been and would be taken to remedy this. Whatever was done, he hoped that local management would be maintained, even if the ratepayers were not relieved to so great an extent as they otherwise might be. One word more and he had done. He hoped a Commission would be appointed, as he believed that an inquiry of that kind would be the most satisfactory to the various interests involved. He agreed with the hon. Baronet who had brought this Motion before the House in the reasons he gave for a Commission, particularly in regard to one point, that it would be entirely divested of all party feeling and party politics; and an additional reason he would give, that the inquiry was likely to be a long one; if a Parliamentary Committee were to be appointed they could not sit after the end of the Session, but a Commission could. This would save time. He might, perhaps, appear to speak from one point of view only; but he could, however, assure the House that he looked upon the question as of equal importance to the towns as to the country districts. He regretted that they had not before them more accurate figures to go upon; and it might be said that they ought to have waited for the Return moved for last Session before entering into this discussion; but no doubt the figures they had were sufficiently accurate, and he felt that there ought to be no delay in making the inquiry. It must be a long one, and before any new burdens were imposed surely the matter ought to be settled—for instance, the maintenance of turnpike roads. If the maintenance of turnpike roads were placed on parishes that charge ought to be considered as being similar to many other charges which had been thrown from time to time on the local rates. Turnpike roads were once the main arteries of communication in this country; now they were not so. Yet the parishes had already to bear—for the public good, not for their own—the burden of keeping up roads which led to those main centres of traffic, now the railway stations. Ought they to continue to maintain those roads and also to have an extra burden cast upon them without full and fair inquiry? With respect to Financial Boards, they might not perhaps strictly form a part of the present question; but if those

Boards were to be established—and he approved the principle—he thought the whole matter ought to be carefully looked into before any portion of it was placed under a new system of management. He regretted that the Government would not at the present time consent to an inquiry; but he trusted they would eventually, for he felt that the matter could not be settled without it, and that it was the only way to a speedy and at the same time a satisfactory solution of the question. The hon. Member concluded by apologizing for detaining the House, and thanking it for its kind indulgence.

MR. POLLARD-URQUHART said, that after the able and lucid speech of the President of the Poor Law Board and the assurance which that Minister had given that that subject engaged the anxious attention of the Government, he should have thought it unnecessary to prolong the debate, but as hon. Members had continued the discussion he desired to make a few remarks. The House and the country, in his opinion, were much indebted to the hon. Baronet the Member for South Devon (Sir Massey Lopes) for bringing forward that question, which was certainly one much requiring careful consideration. But it was more one for a Committee of that House than for a Commission. It might have been very properly considered by a Committee, such as had been asked for by his hon. Friend the Member for Brighton a few years ago, and which he regretted was not then granted. If the matter were duly considered and weighed the result might perhaps be very different from that anticipated by the hon. Baronet the Member for South Devon. All persons who were interested in land ought to consider whether what were usually termed "burdens" were burdens in reality. Take the maintenance of the roads, for example. Did not the landlords receive an equivalent for that expense in the increase of rent which was the result of good roads being kept up? About the time when the first approximation to Free Trade was made in this country, he happened to be at Odessa, and he inquired of an intelligent man whom he met what would be its probable effect on the price of corn and the value of property in South Russia? The reply was, "If we had as good roads as you have in England we should flood you with our corn." If the Russians had as good roads, at as moderate a cost as we had, their competition would be much more formidable. Then as to the so-called burden of poor rates. He thought it had been clearly shown by persons of great experience that the owners of land received a full equivalent for those rates, as it was more economical to maintain the poor by a well-regulated system than to encourage that kind of unrestrained mendicancy which had prevailed, to a certain extent, in Ireland, before there was a regular Poor Law. Indeed, he had heard a person well acquainted with the country assert that in former times more landlords were ruined by the want of a Poor Law than by the extravagance of which they were so commonly accused. The poor rate was, in point of fact, a very cheap equivalent for the irregular demands made by the poor upon the resident landlords in countries where the Poor Law system was not established. Hon. Gentlemen who complained of the amount of local taxation ought to state plainly what remedy they proposed for the existing state of things. Where was the equivalent to come from? Was it to be derived from a tax on the stock-in-trade in the country, or from Imperial taxes? The former expedient, he believed, would not be seriously urged, and if the charge was to be placed on Imperial taxes it was not easy to suggest which of those taxes ought to be selected. If it were placed on income, the income tax would be greater than the country would feel inclined to bear; and it would be impossible for the Government to continue the removal of the restrictions on commerce and consumption, which had so much increased the value of property. The hon. Member for Norfolk (Mr. Read) had suggested the removal of the duties on fire insurances of all descriptions. How could the Chancellor of the Exchequer effect this if fresh charges were laid on the Consolidated Fund? The hon. Member for South Devon had talked much about the pressure of rates on the poor occupier struggling to keep himself independent, but if the taxes on tea, coffee, sugar, &c., were increased, the poor occupier, to whom those articles were almost necessaries of life, would be worse off than he was at present. On the other hand, would not the condition of those people be improved much more by getting rid of the taxes on the articles he had named. Suppose, too, that with a view to benefit the poor cottager, they were to consider the question of licenses, which prevented him reaping the full benefit of the reductions already made in these articles. But this could not be done if we put any large portion of the rates on Imperial taxation. The whole question of local taxation, however, could not be properly considered apart from the question of Imperial taxation, and he hoped that both those important subjects would shortly receive the consideration, not of a Commission, but of the Government and the House.

MR. DE GREY said, he would assume the principle that it could not be right or just that two-thirds of the property of this country should escape the taxation which was borne by the other third, unless the object of that taxation were one more especially benefiting that particular portion which bore it. On this point he believed he should meet with a very general assent from the House, though, on account of a great portion of that property which escaped local taxation not being of a local or visible nature, it might be somewhat difficult in that case to carry out the principle to its legitimate conclusion; but the justice of the principle had been so far conceded that Parliament had consented to subsidize in a degree those payments which for a long period had been a burden upon local and visible property; as, for instance, in the matter of the administration of criminal justice. To a certain extent this principle of subsidizing had, he believed, been also acted upon with reference to the maintenance of the poor. This, the heaviest burden borne by that portion of the property of the country upon which it had fallen, and which, under the name of poor rate, had pressed so heavily upon it, was certainly not originally intended to be exclusively so borne; but the unfortunate use of the words by which it was intended to include other kinds of property—he meant the expression "stock-in-trade"—in the Act of Elizabeth was the occasion of so many difficulties that annual Acts of Parliament were for several years passed to exempt that which was intended to be included under the term, and ultimately a general Act was passed exempting that species of property and throwing the entire burden upon that which was included under the name of real or landed property. The great change which had occurred in the relative proportions of income derived from real and personal property, and the great addition which had been made to the amount of local charges in consequence of increase of population and the greater requirements of improved civilization, had rendered this burden, falling as it did upon one-third only of the general property of the country, a real and very serious grievance, sensibly interfering with the well-being of the owners and occupiers of land. Though the income derived from land had no doubt increased, it had not kept pace with the much greater increase of the income derived from many other sources which might be generally included under the term "personal property." Nor was the difficulty of ascertaining, at least approximately, the amount of income derived from these sources so great as it might at first sight appear. For national purposes it was ascertained and charged under the name of income tax, and if it were admitted that the maintenance of the poor and other purposes for which at present local rates were collected were, properly speaking, national objects, it was not too much to affirm, that on a broad principle of justice, everything which was taxed to supply the Consolidated Fund should be taxed for those purposes also. But immediately a difficulty arose. Could they localize taxation derived from sources other than local and visible? In his opinion this was not impossible, but he did not feel competent at present, nor, indeed, was it necessary, to enter into the details of any measure for that purpose, because the proposition before the House was simply for a Commission of Inquiry. He feared that many of those who contemplated bringing all property under contribution for purposes hitherto supplied by means of local rates, contemplated something in the nature of a national rate. Now, above all things, he should deprecate any attempt of such a nature. He believed that if the poor were to be maintained, our gaols supported, and our highways kept in order, by local authorities drawing upon a national fund, there would be a general scramble from all parts of the country, each district endeavouring to obtain for itself the largest possible amount out of that fund. But considering that all taxes for national purposes were locally collected, would it not be possible to levy rates in proportion to and upon the same basis as that on which national taxation was now collected in the localities in which it arose for the local purposes of the district? If, however, this were not possible, and he admitted there would be great difficulty in carrying out the details, might not a plan be devised by which an average should be taken of the expenditure of each district or union during a certain number of years, that that average should become a charge upon the Consolidated Fund, and that if that average were exceeded the difference should be raised by rates in the same manner as they were now levied? This would retain the local interest in keeping down the expenditure and preventing its rising above the average. But it would still be necessary to consider the case of the expenditure falling below the average. There would, he thought, be no difficulty in applying any surplus that might arise to local objects of a public nature under the direction of the Poor Law or other Government Boards. In few cases probably would that surplus be large, but should it be so, might not a fund be obtained in that way for assisting in the purposes of education? He had made these few remarks with a view to offering a suggestion in case of any Commission being appointed in consequence of the Motion of the hon. Baronet (Sir Massey Lopes). He desired to see justice meted out equally to all classes in the country. Broad principles should be established without reference to the interests of individuals even in the matter of taxation; but, above all, he would caution the House that, while they perceived the injustice of our present system, they should avoid any measure which would promote that extravagance and demoralization which he believed would be the consequence of the adoption of the principle of a national rate. Under these circumstances, feeling as he did that the various and important interests involved in this question would be best dealt with by Royal Commission, he should support the Motion of the hon. Baronet.

Mr. CORRANCE said*: I need scarcely say that I most cordially endorse the requirements of my hon. Friend for a Commission upon this most important subject, which has only been postponed too long; and I must rejoice that he has followed up his Resolution of last year by a Motion which promises some practical result. At an earlier period I made a similar Motion, but it was withdrawn at the instances made to me in this House. Perhaps it was only just, for there is no doubt that it comes before a ratepayers' Parliament with unusual force. This, indeed, was foreseen, and the character of the question is very different from that which it has hitherto presented. It must be felt that it is so by hon. Members on that Bench, for there is not one of them who will not at some future, I trust distant date, be held responsible for the decision they come to to-night. There is one thing I regret. I regret that any disinclination to grant this Commission should have been shown on the part of Government, and from the reasons assigned by the right hon. Gentleman, the President of the Poor Law Board, I entirely dissent. What were these reasons? First, he tells us that it cannot even be considered apart from the greater question of Imperial taxation. There is something at least novel about this. Not considered! Why it has been a matter of separate consideration for a half century or thereabouts. Why, it formed the subject for a Parliamentary Inquiry in 1825, of a Poor Law Commission in 1843, and of a Committee in 1850. And if this great necessity exists, why has it not formed part of the great revision of Imperial taxation which has already taken place? Next, the right hon. Gentleman tells us our case is not complete, we must wait for some further Returns about to be made to this House. These Returns will be as available for a Commission as they would be for this House. We do not pretend to legislate, nor is it a Bill we introduce. Well, but our grievance is not made out. We do not come here as grievance-mongers, nor do we put this forward as a special source of complaint to a class; but the right hon. Gentleman has himself, only as lately as last evening, shown that both anomalies and hardships do exist. Surely so far as this is a matter capable of remedy, that grievance does exist. The right hon. Gentleman tells us that even the existing burdens fall short of those of a prior time, and for this he takes an early date. Why does he do this? Because at that date the iniquities of the Poor Law were at their height. Rates at 20*s.* in the pound. Are we to be satisfied at anything less than this? I must contend that no point of comparison exists. Further, he takes exception to the remedies proposed upon this side of the House. Well, I do not myself agree to most. But the right hon. Gentleman, no later than last year, proposed a remedy himself—an income tax —no less—[Mr. GOSCHEN: I beg your pardon.]—Then the right hon. Gentleman has been wrongly reported, and my own ears deceived me upon this point. He said, "Only give me 1*d.* of income tax assessed as a rate in aid, and we can deal with the matter as we ought." Well, we have not gone beyond that. I take the right hon. Gentleman's testimony as against himself. But we do not only rest upon that for there is other concurrent testimony upon this point — that if we seek relief through a rate in aid it is no new theory we advance. In a Committee in 1859 upon Poor Law Irremovability we find Mr. Sotheron Estcourt speaking thus—

> "I do not know whether it is necessary to say more than that I think that both with regard to unions and parishes it would be a fair thing to facilitate the means of obtaining a rate in aid, and so taking one more step towards equalizing the burden all over the country. But I think by the old form of a rate in aid I shall at least stave off during our time that which I think would be perfect ruin to the country—namely, an attempt to raise the money for the relief of the poor by anything like a general rate either of the nation or even of any county; and I think so because nothing is so ruinous as the idea of entrusting expenditure to those who are not the representatives of the persons from whom the money is to be raised. It has also this merit—it is 250 years old."

This is no unimportant point, and would lend sanction to projects less doubtful than those we have advanced. Even recently we also have the authority of Mr. C. P. Villiers as to the necessity we allege to exist. He speaks thus—

> "In my opinion nothing can be more unfair and conspicuous than the charge of the poor rate. I do not express that opinion for the first time. I was acting on the original Commission for the Poor Law, and I was struck by seeing the extraordinary unfairness with which this charge fell on different persons and places, and the vast number who were totally exempt from such a charge."

Now these ought at least to be received as complete and sufficient proof of the necessity now existing of an inquiry upon these points, resting upon what I may venture to call intellectual recognition of matter requiring redress. It is not wanting in practical proof. Does it constitute a special charge upon any industry or class, and of this what are the effects? Now, I think I may say that it has been proved that it does form a most serious charge upon land, not that I shall restrict my area of consideration to it, for it falls upon houses and railroads, and several other properties to a similar effect. But if, I say, it does fall upon such an industry in at all greater proportion than any other what will be the effect. Let me give an instance of this. In 1795, and at the beginning of the present century, stock-in-trade was pretty generally rated in the North. It gained ground just as the stock of woolstapler and clothier increased. Now, mark the recorded effect; when the practice of rating stock-in-trade was fully established in this district, the ancient staple trade rapidly declined, and withdrew itself still more rapidly into the more northern parts, where no such burden was cast upon the trade. Now, this may seem to some to be a cogent argument in favour of the exemption from what I may term the protective side of the question, but I must carry you a little beyond this. Capital naturally shifted itself to the protected trade, no doubt, but before we give ourselves up to any transports upon this there is one suggestion that I would venture to make — namely, that we have no right to make such a protected interest; and, secondly, that you have made such a protected interest in this case. What we say is this, the effect of your exemption has, as between the two industries affected, produced a precisely similar effect to that which I now quote between the two branches of the same trade—it has created a protected interest, and from this our taxed capital has fled. In these days it is time that this should cease. And now, as to the argument that landlords will get it all. I have heard the argument before. I think once — namely, when the right hon. Gentleman who now sits upon that Treasury Bench was belabouring these Benches, with well meant, if not sound advice, to give up Protection, and to permit cheap bread—the somewhat ungracious rejoinder was this — the artizan will not get it. You the masters will spin cheaper, with lower wages, and so you did; but your trade increased and the wages went up, and the men have realized the larger profit perhaps. So I do not think it probable that the landlords will get it all, and I am even inclined to hope that some may reach the labouring man. Perhaps, indeed, it may be thought, that of all matters for our consideration, this one presses most, and certainly there is no one that is capable of such easy proof as the pressure of these taxes upon the poorer class. Its action is two-fold in such respects, direct and indirect. To income tax we have at least been careful that men of small means shall not be called upon to contribute, and it has likewise been held good policy that upon articles of the first necessity the taxes should be light. How do we stand here in this respect? You, especially, who desire subdivision of land will do well to mark this. The miserable hovel at a £2 rent pays this tax. The allotment of the labouring man pays this tax. The cottage garden and cottage pays this tax. The few acres of the lesser tenants, as well as the lordly farmer, pays this tax, and for what and to what amount? He pays for his fellow-paupers wants — for the road he walks on — the bridge he does not go over—the police to watch over his property. In the towns is it better? Go to the east end of this city and put it to the vote. I may refer to the right hon. Gentleman opposite for this. And in what proportion does it take effect to income tax? We think sorely of the extra pennies, out of 6*d*. in the pound, where we many of us pay 4*s*. 6*d*. and 5*s*. Now, I take the description given in *The Times* of taxpayers of this class—

> "The property tax is raised from an income of £300,000,000. The rates of England from real property alone, form one-third that amount. Upon the one we raise £6,000,000, and upon the other £12,000,000."

There are, therefore, three distinct grades of taxation in this country—those who pay indirect—a more favoured class, who pay the direct; and another class, higher in the fiscal hierarchy, who are privileged to pay rates. Now, what sort of an aristocracy is this fiscally favoured class? It would take a finer pencil than mine to delineate — the bloated ratepayers—the citizen privileged to pay rates. And, once more, what are its indirect effects. Just now there are not wanting some very earnest friends of the agricultural labourer, and I call their attention to this —the state of every wage-paid class must depend upon the economical condition of the industry itself. If that industry is prosperous capital will flow in, and the wages of labour be increased; if not the fund will decrease and the labour be less. Now, we have before seen the effect of special taxation upon this, in the instance of the wool trade. Now, with regard to agriculture you have done this, and heavily weighted the lags in the race. Capital does not come in, and labour is of the lowest class. Ask any authority and he will tell you that this need not be the case. Agriculture could absorb double the capital, but no industry could survive such a special impost as this; 4*s*. in the pound shuts the doors in the capitalist's face. Now, to some of my enthusiastic friends who really wish to raise the labourers' condition I recommend this; as an economical question it is really worth their while to study its effects. You cannot raise wages by Acts of Parliament except of this class; but you can put each industry upon an equal footing by making your taxation just. Have we no claim to this? Well, but we are not the only petitioners in this case. When last year I had the honour of seconding the Motion of my hon. Friend, I called especial attention to this; and the great interest of owners and occupiers of house property, as well as railway proprietors, and other taxed interests to this. Of such burdens they bear the larger half. It is true that by the late hon. Member for Westminster (Mr. Stuart Mill), whose absence in this House most must regret, a distinction was attempted to be drawn, by calling this a house tax of a special class. I do not think that he was very successful in showing in what the distinction consisted. At all events if there is any real, and not merely politic distinction to be drawn, no doubt by a Commission it will be winnowed out. But, if all other reasons were insufficient, one consideration should suffice, we cannot remain in our present position if we would, and each instant of delay imposes fresh difficulties in our path. Last Session ought to have sufficiently proved this. For years past burden after burden has been imposed upon these rates, and by this means every new administrative crotchet is to be carried out. Well, there is a limit to this, and the ratepayer, though a man of infinite patience, has discovered that his is not after all the national purse. We have come to the Imperial Exchequer and have met with an invariable rebuff. Resistance to all increase of such taxation has become our only resort. The ratepayer, as such, will have no more exclusive burdens on his back, and, deprived of his assistance, most of your proposed reform, both good and bad, will halt. On the other hand, it is impossible to look forward to any very speedy settlement of such a question as this. The field of inquiry it opens is immense, obviously no time is to be lost. I have said that this question has been often before the House, and I may refer to many effective speeches. One, however, seems to me super-eminently the best which was ever delivered in this House—that of the right hon. Gentleman the Member for Buckinghamshire. Still more remarkable is one paragraph of that speech—

> "You must not conceal from yourself that you may make an aggrieved population run a muck against your theories of trade and taxation. If you reject this Resolution I tell you the consequences will be a proposition conceived in a severer spirit of justice, and as such it will return to this House."

It has returned to this House, and will, I trust, in the hands of my hon. Friend, be conducted to a practical result.

MR. NEWDEGATE complimented the hon. Member for South Devon (Sir Massey Lopes) on the ability displayed by him in dealing with the subject under consideration. Since 1849 successive Governments had promised to give their earnest attention to this matter; but how had that promise been kept? He was rather surprised at the manner in which the President of the Poor Law Board had met the Motion. He believed it was the custom for the Chiefs of Departments, when they received a written application, to turn down one corner of it, and on that corner to make a note of instruction as to the answer which their subordinate was to write. He had heard of a case in which an official had succeeded in condensing his instructions into the three letters U. B. D. The manner of the right hon. Gentleman the President of the Poor Law Board was completely official. He must observe that neither the hon. Gentleman who brought forward this Motion nor any one else proposed that a Commission should be intrusted with the legislative functions of that House. The proposal of the hon. Member for South Devon was strictly in accordance with precedent. He had applied in the Library for a copy of the Report of the Commission of 1833, but had not been able to get one. He had, however, found a copy of the Report of the Commission, which included among its Members two Members of the House of Peers and one Member of the House of Commons, the rest of the Commissioners being selected for that office in consequence of their aptitude for inquiry. Did those Commissioners deal with the question whether these local charges of the Poor Law should be commuted into a general charge? Certainly, in their recommendations they did so, but they very properly condemned the idea of a national rate. They went into the whole question of the incidents of this property, and they show that the poor rate under the old law had become abused, and that the whole rental in certain parishes was absolutely confiscated. The right hon. Gentleman the President of the Poor Law Board assured the hon. Member for South Devonshire that he need not be uneasy, because the amount of the poor rate in 1802 and in 1815 amounted to £8,000,000, including the county rate, and, therefore, there being nothing extraordinary or unprecedented in the amount that rate had attained at the present time, there was no occasion for resorting to such extraordinary and unprecedented a course as an inquiry by means of a Royal Commission, because that would involve a delegation of the legislative functions of the House to that body. [Mr. GOSCHEN: No, no!] That, at all events, was the inference he had drawn from the right hon. Gentleman's speech; perhaps to-morrow morning they would be in a better position to judge of its meaning. He (Mr. Newdegate) was satisfied to take it that in 1833, when the poor rate, including the county rate, became excessive, a Commission of Inquiry was issued. Under these circumstances precedent was directly in favour of the proposal of the hon. Member for South Devonshire. Did the hon. Member make his claim solely on account of the agricultural interest? He saw the right hon. Gentleman, the President of the Board of Trade, sitting opposite to him, and he asked him whether he had heard nothing of the grievance caused by the operation of the poor rate upon the compound-householders of Birmingham? He (Mr. Newdegate) was in that House to represent them, and, as their representative, he supported the proposal of the hon. Member for South Devonshire for inquiry by Commission, because he knew that the hon. Member had acted in an independent spirit, and because he thought he had only spoken the truth when he said that he sought to drag this great question from the fangs of party. It was unfortunate that even after all these years there should be a prejudice against them because they had once been Protectionists. He was one still. ["Oh!"] He repeated what he had published, and what was in the Library of the House of Commons, in the introduction to the work called *The Tariffs of all Nations*—namely, that they would be compelled to re-consider the system of free imports. But whether they had or had not to re-consider their decision upon that point, it would at all events conduce to defer the time for re-considering that question if they were to adopt the means now pointed out for equalizing the taxation of the country. Let not those who sat on the opposite side of the House show themselves so jealous that they dare not entrust a Commission composed of those who were not party men with the power of inquiring into one branch only of our taxation. He asked for information—information to be collected by those who were free from party bias—and a refusal to grant it would bear the interpretation throughout the country that the Government had come to the determination that no information should be furnished to the House but what was tinged by party feeling. Such had been the ability with which the hon. Member for South Devonshire had stated the case of the ratepayers of the country —not merely that of the agricultural occupiers, but that also of the occupiers of small tenements in large towns such as those of Birmingham—that he had felt it to be his duty to tender his humble support to his proposal that Her Majesty should be humbly requested to issue a Commission composed of men unbiassed by party feeling, who should inquire into the whole subject of our local taxation.

MR. GLADSTONE: Sir, when my right hon. Friend the President of the Poor Law Board (Mr. Goschen) delivered, what I thought to be his very clear and able speech, he appeared to me to place the House in possession of the views entertained by himself and by the Government, and I confess I did not think it would be requisite for any one to rise from this Bench during the remainder of this discussion—a discussion, I may add, which I understand has been carried on under the belief that the hon. Member for South Devonshire (Sir Massey Lopes) having heard the speech of the right hon. Gentleman was not disposed to press further. The speech of the hon. Member who has just sat down, however, shows that upon certain points he, at all events, has not fully comprehended my right hon. Friend. It is of importance that the position, the intention, and the language of my right hon. Friend should not be misunderstood; and it is but just to the hon. Member for South Devonshire that no misapprehension upon the subject he has brought forward should be allowed to exist. The hon. Member who has just resumed his seat thinks that the right hon. Gentleman objected to the appointment of a Commission on the ground that it involved a delegation and an alienation in the matter of taxation of the legislative functions of this House. But the right hon. Gentleman, in reality, took no such objection. Both the argument and the illustration of the right hon. Gentleman ought to have prevented any such misapprehension arising. What he pointed out was that by acceding to the proposal of the hon. Member for South Devonshire we should be parting with the initiative of this House in matters of taxation—a matter on which this House is so jealous that it will not permit an independent Member of its own body to propose either the expenditure of public money or the taxes from which that money is derived. The right hon. Gentleman pointed out that, as in the view of all men, and as in the view of the hon. Mover of the Motion himself, the two questions of Imperial and local taxation were too inextricably mixed up together, and that to devolve upon a Commission under such circumstances the examination of the advisability of a general re-adjustment of local taxation was, in point of fact, to place in the hands of that Commission the question of Imperial taxation, and to give the Commission that initiative which the House would not permit its own private Members to exercise. The hon. Member who has just sat down says that the Poor Law Commission, which was appointed in 1831, affords an exact precedent for the Motion now made, but that is not the case. The Motion now made is a Motion for a reference to a Commission of the incidents and the effects of local taxation and for the more equitable re-adjustment of its burdens. The hon. Member has not read to us the terms of the Poor Law Commission, but, speaking from recollection, I deny that the purpose of that Poor Law Commission was to examine into the question of taxation. It was appointed to examine into the administration of the law and into its social effects upon the poor, and from my recollection of its terms I may say that all reference to taxation in the Report of that Commission were of a secondary and collateral character, and were intended to illustrate, by referring to its effects upon property, the main subject and gist of the Report—namely, the administration of the Poor Laws and their effects upon the poor. If that be so, it is quite idle to say that the appointment of that Commission forms in the slightest degree a precedent for appointing a Commission to examine into local taxation, with the avowed intention of re-adjusting by its means the present system of our local taxation, and probably doing so by means of a charge in some shape or another upon the Imperial Exchequer. The hon. Member seemed to think that the purpose of my right hon. Friend was to anticipate or retard, or in some manner or other to discourage, the obtaining of information. What I understand to be the position of the Government is this:—My right hon. Friend has pointed out that the Motion of the hon. Member is one which comes recommended by every motive that can address itself to the indolence, the indifference, and the timidity of an Administration. Because if we were to accede to that Motion, and to advise the appointment of a Royal Commission for the purpose recommended by the hon. Gentleman, I think all who hear me, and who bear in mind the complexity and the extent of the subject, will agree with me when I state that it would give us a lease of several years of peace and tranquillity in reference to the discussion of this matter. Instead of taking such a course, what says my right hon. Friend? He draws a distinction, and I think a just distinction, between a Commission to recommend a policy and a Commission to make inquiry. With reference to a Commission to recommend a policy, he has pointed out that it is hardly consistent with the character or usages of Parliament, or with the public interest, that such a matter should be transferred to the hands of any Commission, however wisely and justly chosen. With respect to a Commission for information merely, my right hon. Friend has stated that he thinks the exertions which have been made under the late Government, and which he is now continuing, will enable him without any loss of time to bring before the House all the information which it will require in order to form its judgment on the subject. And my right hon. Friend has admitted, what I can have no hesitation in repeating, that we are entirely conscious that this question stands in the very forward position in respect of its claim on the attention of the Government. Having in view, even within the next few days, a measure which, taken in conjunction with other measures already announced, must occupy, in all probability, the whole available time of Parliament during the Session, I do not think it would be wise or prudent in us, or candid towards the House, if we attempted to define the precise period at which it would be possible for us to propose legislation on the subject of local taxation. But this I will say,—that if this great Constitutional question were once fairly disposed of or put out of the way by legislation, I do think it would then be the duty of the Government to make such proposals as they might think were called for, though to discuss the nature of these proposals now would be wholly premature, with regard to a matter standing in the very first ranks of duties devolving upon the Government. With that declaration we might fairly have called upon the hon. Member for South Devon, but that he has, in fact, anticipated the call, to abstain from pressing his Motion for the issue of a Royal Commission. There is only one other topic which it is necessary for me to mention, and that is the suggestion made by one or two hon. Members that a Committee of the House of Commons might take in hand this subject. Well, undoubtedly there is not precisely the same form of objection to the action of a Committee which might justly be applied to the intervention of a Royal Commission. But I own it appears to me that, although a Committee of this House is a very useful instrument, it is an instrument of limited power. I can conceive that with respect to portions of this question the appointment of a Committee might be prudent and useful. I do not pretend now to indicate in any more precise terms what might be capable of being done in this direction, but so much I will say in general terms. But I am convinced that the whole scope of this question is beyond the powers of any Committee which could be appointed for the purpose. And though I am not in the least degree desirous to prevent the discussion of that subject if it should be thought proper to raise it, and wishing to pay respect to a suggestion, even incidentally made by hon. Members, I must say that we should be in a manner shrinking from the grave responsibilities of an Executive Government were we to propose to the House a general devolution of this question on a Committee of the House of Commons; for the powers of such a Committee, I am convinced, would not be adequate to its settlement, and it would hardly be possible for any Committee to devote to it such an amount of time as would lead to a satisfactory conclusion. I hope it will be understood from the remarks I have made that the Government are by no means insensible of the importance—I would even say, after the explanation I have given—of the urgency of this question; and if they decline to accede to the Motion of the hon. Member, it is not because they are indisposed to the performance of their own duty, but because they do not wish to shift that duty upon another and less responsible agency.

MR. HUNT congratulated his hon. Friend (Sir Massey Lopes) on the very important declaration which had been made by the First Minister of the Crown. The right hon. Gentleman had acknowledged that the subject brought forward and discussed that evening was one of the most forward subjects for consideration, and had promised that at the earliest moment compatible with the other engagements of the Government he and his Colleagues would devote their earnest attention to the matter. Though the particular mode of pursuing this question proposed by his hon. Friend had not been assented to by the Government, he had substantially attained his object. The Government refused to grant a Royal Commission, but they said, "We ourselves will be your Royal Commission." They undertook to ascertain all the facts necessary for enabling the public to form a judgment upon the question; and, further, to bring forward, at the earliest possible moment, such measures as would constitute a proper solution of the question. In giving this undertaking, the right hon. Gentleman had acted wisely, for the subject was one which the population of the country had deeply thought over. The right hon. Gentleman the President of the Poor Law Board (Mr. Goschen), following the hon. Member for South Devon (Sir Massey Lopes), had well remarked that this was not a question of one class or of another, not a question of town or country. Wherever he (Mr. Hunt) went, when the fiscal burdens of the people were discussed, it was not Imperial, but local taxation which was complained of. Whether in the agricultural districts, with which he was most familiar, or among the thickly-crowded population represented by the right hon. Gentleman the President of the Poor Law Board, the feeling was the same. His own attention had been called particularly to the great difficulty which the Metropolitan Board of Works had in obtaining funds to carry on the contemplated improvements. The metropolitan ratepayers were so heavily burdened that they almost gave way under the weight of the last straw. Under these circumstances, it was no wonder that the burden of local taxation continually occupied the thoughts of the people of this country. He had felt it his duty to investigate the matter last Session, and with that object endeavoured to find out what materials were available for information. He had been astonished to find how very meagre the *data* were: there really existed no reliable figures, and nobody had it in his power to give a synopsis of the local rates bearing upon the people of this country in the different parts of the Empire. With a view to obtain the information that was so desirable, he moved at the close of last Session for some comprehensive Returns, upon the preparation of which, not only the officers of the Department, but an extra staff were engaged, and he had been happy to learn from the speech of the right hon. Gentleman that the information would be available at any early date. He looked forward to the presentation of those Returns with great interest, and he believed they would afford a mass of information such as heretofore had never been possessed. He hoped his hon. Friend, having elicited such an important declaration from the First Minister of the Crown, would rest satisfied with the result which had been attained; and the House generally, he felt sure, would accord to his hon. Friend their gratitude for the very able manner in which he had brought forward the subject.

SIR MASSEY LOPES expressed his satisfaction at the assurance given by the Government, and consented to withdraw his Motion on the understanding that if they did not take some effectual steps he should herewith renew his Motion.

Motion, by leave, *withdrawn.*

REVENUE OFFICERS BILL.

LEAVE. FIRST READING.

MR. MONK, in moving for leave to introduce a Bill to remove restrictions from certain Officers employed in the collection and management of Her Majesty's Revenues, and to enable them to take part unreservedly in the Election of Members to serve in Parliament, said, that the Act passed in the last Session enabled the Revenue Officers to vote at Parliamentary Elections; it also relieved Officers in the Excise department from an exceptionally heavy fine of £500, and from other penalties, to which they were liable, if they interfered in elections, but some enactments of the reigns of William and Mary and Anne still remained unrepealed, under which Officers in the Customs and Post Office became liable to a penalty of £100, and were rendered incapable of holding any office of trust under the Crown, if they took part in elections by persuading persons to vote, or to abstain from voting, for particular candidates. A similar Act affecting the Inland Revenue Officers, 5 & 6 *Will. & Mary*, c. 20, s. 48, had been repealed by the Statute Law Revision Act of 1867. It was his intention to have moved the insertion of the sections relating to the Post Office and Customs in his Bill of last year; but in the face of the threatened opposition of the then Chancellor of the Exchequer, he would have perilled the safety of his measure if he had then endeavoured to repeal those sections. He trusted that no opposition would now be made to a proposal to enable officers in the Post Office and the Customs to exercise the same rights as their brethren engaged in other branches of the Civil Service in regard to freedom of speech, the liberty to canvass at elections, and to propose or second candidates if they thought proper, instead of being allowed as at present merely to record their votes.

MR. GLADSTONE said, he had no intention to oppose the introduction of the Bill, because it would be desirable to see the measure and examine its precise effect upon the law. He should reserve his freedom of judgment until he had satisfied himself as to the exact purport of the inequalities in the existing rights of different Departments of the public service, because, unless caution were exercised, they would end by creating new inequalities. It was quite clear that this was a matter which would have to be considered with reference to other persons besides those who were employed in what was called the Civil Service of the State. He was quite sure that his hon. Friend did not wish the Government to act with undue haste in this matter. He would consider the measure with every desire of agreeing with his hon. Friend, but at the same time of arriving at such a conclusion as might be expedient.

Motion *agreed to.*

Bill to remove restrictions from certain Officers employed in the collection and management of Her Majesty's Revenues, and to enable them to take part unreservedly in the Election of Members to serve in Parliament, *ordered* to be brought in by Mr. MONK, Sir HARRY VERNEY, and Mr. CRAUFURD.

Bill *presented*, and read the first time. [Bill 14.]

UNIVERSITY TESTS BILL.

Considered in Committee.

(In the Committee.)

THE SOLICITOR GENERAL, in rising to move "That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the constitution of the Universities of Oxford and Cambridge," said, he did not propose to offer any observations upon the subject, which had been repeatedly before the House. As it had been so often discussed, it would be mere waste of time at present to enter into a lengthened explanation of the subject.

He would simply state that the Bill which he intended to introduce was a reprint of the Bill of last year.

MR. MOWBRAY said, leave was given for the introduction of the Bill in the last Parliament without opposition, and he did not of course intend to make any objection to the present Motion. He rose only for the purpose of saying that in its future stages it would meet with the same opposition as in the last Parliament.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain Tests and alter certain Statutes affecting the constitution of the Universities of Oxford and Cambridge.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. SOLICITOR GENERAL, Mr. BOUVERIE, and Mr. GRANT DUFF.

Bill *presented,* and read the first time. [Bill 15.]

MONEY LAWS (IRELAND) BILL.

Considered in Committee.

(In the Committee.)

MR. DELAHUNTY, in rising to move a Resolution, for leave to bring in a Bill to equalize the Money Laws of England and Ireland, by extending to Ireland the provisions of the Act seventh George the Fourth, chapter six, "To prohibit the issuing of Promissory Notes under a limited sum," said, that no doubt Ireland had natural capabilities equal to those of any other country on the face of the globe. There was no doubt that her position, surrounded as she was by water, gave her the finest facilities for commerce with all parts of the world. The reason why she had not progressed so much as England was because she had not been treated as an integral portion of the Empire. He did not wish to attribute blame to any one; he durst say that as much blame was attributable to Irish Members as to anybody; but there must be "something rotten in the state of Denmark" when Irishmen had to go to other countries to seek the employment they could not secure at home. What was called the Irish difficulty was, in his opinion, mainly attributable to exceptional and differential legislation, and if they wanted Ireland to be prosperous and contented they must extend the same laws to that country as to England. He particularly referred to the Money Laws, which pressed more severely against Ireland than any exceptional laws under which she suffered. If Parliament was not prepared to have equal laws for Ireland and England in every matter, it might commence with equalizing the Money Laws, by extending to Ireland the Act which passed for England in 1826, putting an end to the small Note circulation and thereby giving that country the advantage of a free specie circulation, backed up by a large Note currency. When, previous to the Bank Restoration Act of 1797, Ireland, like England, had no small Note circulation, she had an abundant gold circulation as well as large Note paper, and, although trading restrictions were then enforced by England against Ireland, the latter country progressed so that her imports and exports were in comparison to those of Great Britain in the proportion of one to four. In 1777, the Irish were £6,238,366, the British £26,134,839; in 1789, the Irish £7,935,605, the British £37,835,500; in 1792, the Irish £9,725,772, the British £44,033,785; and even after 1797, when Bank paper was inconvertible and small Notes allowed to circulate, Ireland held her own; and her population which, according to the Census of 1801, was in proportion to that of England as 11 to 20, increased in like proportion, as long as equal Money Laws prevailed, but immediately after 1829, under the Act of 1826, small Notes ceased to exist in England, the proportion of increase fell to 5 to 20; and the Irish Bank Act of 1845, which prohibited the formation of new Banks of Issue, and limited and restricted the existing Banks in their issue of Notes, was so fatal in its operation in restricting the circulation, that the population of the country which, according to its increase up to 1829, should, in 1861, be 11,500,000, was only 5,750,000, leaving Ireland deficient some 6,000,000 of people which she ought and would have had, if industrial manufactures were not destroyed by bad Money Laws. He had long ago come to the conclusion that the want of the Money Law of 1826 had done more to injure Ireland than the want of any other legislation. The operation of the Act of 1845, limiting the formation of Banks of Issue and restricting the issue of Notes, had been a blow to Ireland from which she would never recover unless Parliament also extended to that country the Law of 1826. In 1826, when England was commercially and financially prostrate, from the fatal effects of a small Note currency, there were many distinguished men in the Government, including Mr. Huskisson, Mr. Canning, Sir Robert Peel, Lord Liverpool, and Mr. Goulburn. They desired to introduce good legislation, and they brought in a Bill in February to put an end to small Notes—the same month that he was proposing to bring in his Bill—and they had it passed in March. This was an example for them. The result of the Act was to lay the foundation of England's commercial prosperity; but unfortunately the same laws were not applied to Ireland, and the want of those laws, to his mind, brought death to Ireland; and they were left to the present day without a population adequate to that of England, as they had possessed before. If the Union had been based on any fair and proper principles it would have been a blessing to both England and Ireland; but it was based on the assumption of different interests. Restrictions were placed on the trade of both countries. Protective laws were enacted to prevent Irish manufactures being introduced in England, and similar laws in Ireland discouraged the introduction of English manufactures, when there ought to have been free trade between the two countries. Inconvertible Notes were the order of the day till 1819. The effect of the resumption of cash payments in England and Ireland was to pull down the prices both of manufacturing and agricultural produce to an extent which created the greatest dissatisfaction in the country; but the Government were firm. They did not repeal the Act of 1819. They would not return to an inconvertible paper currency; without gold they could not have paper. Without the basis on which convertibility depended, paper itself could not exist. He was old enough to remember the existence of thriving cotton, woollen, silk, glass, and iron manufactures in Ireland, and if they would only extend the Money Laws of England to Ireland her industrial resources would speedily be advantageously developed. Give the Irish people profitable employment, and they would be loyal, contented, and happy. He did not think that anything could promote again the industrial development of Ireland but the equalization of the laws in that country and Great Britain. As this was only a Motion to introduce a Bill, he would not trespass further on the time of the House; but at another stage he would go more fully into the question. He would only say further that when he compared the circulation of France with that of Ireland, after making allowance for the difference of population, his wonder was that Ireland made any progress at all. He hoped they would now take steps to put Ireland right, and he believed she never would be right till she had equal laws with England. The hon. Member concluded by moving for leave to bring in his Bill.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to equalise the Money Laws of England and Ireland, by extending to Ireland the provisions of the Act seventh George the Fourth, chapter six, "To prohibit the issuing of Promissory Notes under a limited sum."

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Delahunty, Mr. Blake, and Mr. Dawson.

Bill *presented,* and read the first time. [Bill 16.]

LIBEL BILL.

LEAVE: FIRST READING.

Mr. BAINES, in rising to move for leave to bring in a Bill to amend the Law of Libel, said, it would not be necessary to describe the nature of this measure, except simply to remind the House that it was the same in substance as that introduced by the Judge Advocate (Sir Colman O'Loghlen) in two previous Sessions. In 1867 he carried the measure through by large majorities, and in 1868 it was withdrawn, after passing some of its stages, in consequence of the pressure of other business. Though prevented from taking personal charge of the Bill, by being connected with the Government, it was satisfactory to know that his hon. and learned Friend would lend all the help in his power to secure the passing of the measure through this House.

Motion *agreed to.*

Bill to amend the Law of Libel, *ordered* to be brought in by Mr. Baines, Mr. Candlish, and Mr. Morley.

Bill *presented,* and read the first time. [Bill 17.]

THAMES EMBANKMENT—PROPOSED VIADUCT.

MOTION FOR A SELECT COMMITTEE.

LORD ELCHO, in rising to move the appointment of a Select Committee to inquire into the Roadway and Viaduct proposed to be made on the Thames Embankment from Hungerford Bridge to Wellington Street, Strand, and whether the site might not be more advantageously occupied by some Public Building; also to inquire whether any, and if so what, controlling power over Public Works in the Metropolis, is vested in and exercised by any Government Department, said, he omitted from his Motion the words directing the Committee to inquire whether it might be desirable to establish some such controlling power, as it was thought that they pledged the House to an opinion on the point; but he left them out on the understanding that the Committee would not be debarred from considering and reporting on that subject.

MR. TITE said, the Metropolitan Board of Works had no feeling in respect to this matter but to do what was right, and what would best serve the interests of the public. The project objected to was none of theirs; but, at the same time, he thought that it had been very much misunderstood. The original Question of the noble Lord had reference to some Viaduct from Charing Cross. ["No!"] There certainly had been an impression that the Metropolitan Board of Works intended to build a Viaduct from Charing Cross to Waterloo Bridge. Now, they had no power to interfere with Charing Cross, and they never entertained the intention of making a Viaduct either from that point or anywhere else. The simple fact was this:—The Embankment from Westminster Bridge to Blackfriars was about a mile long and 100 feet wide, and it would be strange if such a road should exist, running parallel to Fleet Street and the Strand, without proper communications with those thoroughfares. However, if the noble Lord's Committee chose to take upon themselves to stop the proposed Viaduct from Hungerford Bridge to Wellington Street, Strand, the Board of Works would not be sorry, for they would then be saved the expenditure of £230,000. The arching upon the proposed road was only 270 feet long; this extent, forced upon the Board by the Government, who were the owners of certain land west of Waterloo Bridge, the object being not to interfere with two graveyards containing the remains, as it was alleged, of some of our early Sovereigns, about whose remains apprehensions appeared to be entertained in the very highest quarters. The question was how the communication with the Strand should be made; and, if it could be shown that a road a mile long required no lateral communication, the Board would be glad; but without such communication a man who wanted to go by the Embankment from Westminster to the new Courts of Law must go to Blackfriars Bridge and back to Carey Street. He agreed that some sort of control like that mentioned by the noble Lord ought to exist; and the Institute of Architects, of which he was President, would, he was sure, feel flattered if their opinion could be sought upon questions of this kind. But he could not admit that any serious mistakes had been made in the improvement of the metropolis. On the contrary, he thought that the Corporation had done exceedingly well, for it had placed itself in the hands of Sir Robert Smirke, and had loyally carried out his suggestions. It was said that these improvements were paid for out of the rates. The fact was, that they were paid out of the proportion of the coal tax which the Board of Works received, the City having 4*d.* per ton, and the Board 9*d.*, on all coal brought into London. This source of revenue would cease, he believed, in 1888, by which time the outlay on these works, including the £230,000, would be entirely covered. He supported the appointment of a Committee.

MR. LAYARD said, the Government had no objection to the proposed Committee. His hon. Friend (Mr. Tite) was mistaken in supposing that the noble Lord had referred to any Viaduct at Charing Cross; he alluded to the proposed road from the first arch of Hungerford Bridge to Wellington Place, which would be partly a road running parallel to the Embankment and partly a viaduct.

LORD ELCHO feared that he had been misunderstood. He found no fault whatever with the Metropolitan Board of Works. Indeed, he held them to be perfectly blameless in the matter. He simply asked that a Committee might be appointed to inquire into the necessity of the road, and to see whether, by a different arrangement, the fine site could not be kept as an ornament to the metropolis.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the Roadway and Viaduct proposed to be made on the Thames Embankment from Hungerford Bridge to Wellington Street, Strand, and whether the site might not be more advantageously occupied by some Public Building; also to inquire whether any, and if so what, controlling power over Public Works in the Metropolis is vested in and exercised by any Government Department."—(*Lord Elcho.*)

And, on March 2, Committee *nominated* as follows:—Lord Elcho, Mr. Layard, Mr. William Cowper, Lord John Manners, Mr. Bentinck, Mr. Sclater-Booth, Mr. Tite, Mr. William Henry Smith, Mr. Gregory, Mr. Beresford Hope, Mr. Buxton, Viscount Bury, Captain Dawson-Damer, Viscount Sandon, Mr. M'Clean, Mr. Alderman Lawrence, and Mr. Dilke:—Power to send for persons, papers, and records; Five to be the quorum.

SUPPLY.

Resolution, "That a Supply be granted to Her Majesty," *reported,* and *agreed to, Nemine Contradicente.*

STANDING ORDERS.

Select Committee on Standing Orders *nominated*:—Mr. Bonham-Carter, Sir Edward Colebrooke, Mr. Henley, Mr. Charles Howard, Mr. Lefroy, Sir Graham Montgomery, The O'Conor Don, Colonel Wilson Patten, Mr. Scourfield, and Mr. Whitbread.

SELECTION.

Committee of Selection *nominated*: — Mr. Bonham-Carter, Sir Graham Montgomery, The O'Conor Don, Mr. Scourfield, and Mr. Whitbread.

House adjourned at a quarter after Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, 24th February, 1868.

MINUTES.] — Select Committee — Members holding Contracts (Sir Sydney Waterlow), *nominated.*

Public Bills — *Ordered* — Annuity Tax (Edinburgh; Poor Law (Ireland) Amendment *.

First Reading — Poor Law (Ireland) Amendment * [18].

Lord Elcho

ANNUITY TAX (EDINBURGH) BILL.

LEAVE.

Mr. M'LAREN, in moving for leave to bring in a Bill to abolish the Annuity Tax, or Ministers' Money, in the parish of Canongate, within Edinburgh, and to make other provisions respecting the stipend of the Minister in that parish, and of the Ministers in the city parishes said, he understood that the usual courtesy would be extended to him on that occasion, and that no opposition would be offered to the introduction of the Bill. He would not therefore take up the time of the House by making any statement in reference to the details of the measure he introduced. He would merely take that opportunity of saying, in one sentence, that the Bill he now asked leave to bring in had been modified considerably from that of last year; and that he hoped that when the Bill was printed, and hon. Members had made themselves acquainted with its contents, those who opposed the Bill of last year would be induced to give the present Bill their hearty support. The Bill had now been approved by twenty-eight members of the Magistracy and Town Council of Edinburgh—only six having voted against it. The hon. Member concluded by moving for leave to bring in the Bill.

Mr. MILLER seconded the Motion.

Sir GRAHAM MONTGOMERY said, he did not rise to oppose the introduction of the Bill; but he must express his astonishment, after what took place last Session, when the Bill introduced by the hon. Member was thrown out, after considerable debate in the House, that he should now propose to bring in a measure nearly identical in character with that which he formerly proposed. Last year, immediately after the rejection of that Bill, the hon. Member for Edinburgh introduced a second measure to abolish the municipal rate of a 1*d.* in the pound, imposed by the Act of 1860, as a compensation to the city creditors in lieu of seat rents handed over to the Ecclesiastical Commissioners. That was a right and proper thing to do, if it were generally admitted that the city's funds were in such a state that they could well afford to do without the 1*d.*, but he (Sir Graham Montgomery) contended that the proper course for the hon. Member to pursue now was to bring in a Bill to abolish the 3*d.* police rate or clerico-police tax as it was sometimes called, which was very much complained of in regard to the city of Edinburgh, and more especially as he thought it would be found on inquiry that they already had a surplus fund, which could be devoted to the purpose to which the 3*d.* tax was at present applied. He did think it would be much fairer to all parties if, instead of attempting to upset the settlement come to in 1860 by an Act to be passed this Session, the hon. Member would propose to abolish the rate which was so much objected to; and he understood the Corporation of the City of Edinburgh were quite in a position to do without it. He did trust the House would not consent to any meddling with the Bonds of Annuity which were imposed by the Act of 1860 upon the city of Edinburgh, and which Bonds of Annuity were a security to the ministers of the Church for the payment of their stipends. Considering everything that took place on the last occasion on which the Bill was introduced, he trusted the House would not consent to any proposition of that nature. With regard to the Annuity Tax on the Canongate, which he admitted at that moment might be considered as a small grievance, it was to be remembered that the whole amount of that tax was only £250 a year. It used to be levied at the rate of 10*d.* in the pound. It was now only levied at the rate of 3*d.* The Session before last, a Bill, which he had the honour of introducing, was passed reducing that tax from 10*d.* to 3*d.*, and in passing which, he must confess, he was to a great extent assisted by the hon. Member for Edinburgh, and was much indebted to him for that assistance. Having, however, had the honour of carrying that Bill through Parliament, and constituting, as it did in his opinion, a settlement of the question as regarded the Canongate, he must confess he should be very much opposed to disturbing the two settlements to which he had alluded —namely, the settlement under the Act of 1860, and that of the Session before last with respect to the Canongate; for he believed that most, if not all, of the parties who were concerned in the matter generally understood that that measure was to be a settlement of the question. He did say, then, that it was not right that the hon. Member should attempt, Session after Session, to legislate in the manner he now proposed in regard to that question.

MR. M'LAREN said, he might, perhaps, be permitted to say a word in explanation of the objection made by the hon. Baronet. His speech had shown the inconvenience of discussing a Bill with the provisions of which he must be necessarily unacquainted, since it had not yet been printed. If the hon. Baronet had waited until the Bill had been printed and in the hands of Members, he would have found that one of the clauses proposed to reduce the 3*d.* rate, to effect which object the hon. Baronet had recommended him to ask for leave to introduce a Bill. The hon. Baronet was in error in supposing that he (Mr. M'Laren) was at all instrumental in having laid on the 1*d.* municipal rate in 1860. On the contrary, he was one of the 14,000 petitioners against that rate being laid on; and it was carried through the House in spite of the strenuous opposition of the inhabitants of Edinburgh, whom he had now the honour to represent. Again, as to the Annuity Tax Bill of last year, the hon. Baronet had himself furnished the strongest argument for its repeal; for, if a direct tax, levied in a parish containing 12,000 inhabitants, produced only £250 a-year, surely no better reason could be advanced for abolishing so pitiful a tax for the support of the Church, and which was the cause of much annoyance to persons who did not belong to the Church; for in that parish a very large proportion of the inhabitants were Roman Catholics. It was one of the poorest parishes in the city, and he said it was as unjust to levy £300 as it was to levy £3,000, so far as the principle was concerned. No doubt he was very willing the Session before last to assist in reducing the rate from 10*d.* to 3*d*; but, at the same time, he informed the right hon. Gentleman (the Lord Advocate) who had charge of the Bill, that although he assented to that measure as an instalment, it should not prevent him from endeavouring to obtain the repeal of the whole tax during the present or any future Session; and the Lord Advocate said that he quite understood that to be his (Mr. M'Laren's) position. He thought those facts were all that it was necessary for him to state until he asked the House to read the Bill a second time; and he hoped meanwhile that the hon. Baronet, when he had seen the clauses of the measure, would be much better pleased with it than he now seemed to be. He would tell him that if he should feel disposed to appeal to the Town Council of Edinburgh for information in regard to the question of finance, he would find that his information was altogether erroneous, and that no such adequate surplus as he had referred to, at the present moment, existed.

COLONEL SYKES remarked that this was another instance of the evil from which they had suffered on the preceding evening, by which the time of the House was taken up in prematurely discussing measures with the particulars of which they were unacquainted.

Motion *agreed to.*

Bill to abolish the Annuity Tax, or Ministers' Money, in the parish of Canongate, within Edinburgh, and to make other provisions respecting the stipend of the Minister in that parish, and of the Ministers in the city parishes, *ordered* to be brought in by Mr. M'LAREN, Mr. MILLER, and Mr. CRUM EWING.

POOR LAW (IRELAND) AMENDMENT BILL.

On Motion of Mr. M'MAHON, Bill for the assimilation of the Law for the Relief of the Poor in Ireland to that of England, by substituting a Union Rating for the present system of Rating by Electoral Divisions, *ordered* to be brought in by Mr. M'MAHON, Mr. BLAKE, Mr. DOWNING, and Mr. STACPOOLE.

Bill *presented*, and read the first time. [Bill 18.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Thursday, 25th February, 1869.

MINUTES.]—PUBLIC BILLS—*First Reading*—Parochial Schools (Scotland) (11); Brazilian Slave Trade * (14).

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD CHAMBERLAIN OF THE HOUSEHOLD (The Viscount SYDNEY) *reported* Her Majesty's Answer to the Address, as follows:—

MY LORDS,

"I thank you sincerely for your loyal and dutiful Address.

At a time when the enlarged enfranchisement of My people gives additional weight to the deliberations of the Legislature, I rely with confidence on the advice and assistance of the House of Lords."

CONTAGIOUS DISEASES ACT.

QUESTION.

VISCOUNT LIFFORD asked, Whether it was the intention of the Government to propose the extension of the Contagious Diseases Act, 1866? He hoped they would have the courage to apply the Act to the City of London.

THE EARL OF MORLEY replied, that the subject had been under the consideration of the Home Office, and that a Bill would shortly be introduced, based on the recommendations of the Select Committee which inquired into the subject last year.

CHAIRMAN OF COMMITTEES.

LORD REDESDALE said, that this being the first time he had been able to attend the House since Parliament had re-assembled, he desired to thank their Lordships for his re-election as Chairman of Committees during his absence, and expressed his hope that the favour and confidence extended to him during so many former Sessions would be still shown him. The noble Lord then gave Notice for to-morrow week of a Motion for a Return of all Acts of Parliament by which property had been taken from individuals, corporations, or trusts without their consent and without securing to them full compensation, or without offence being charged against them justifying such confiscation.

PAROCHIAL SCHOOLS (SCOTLAND) BILL

PRESENTED. READ A FIRST TIME.

THE DUKE OF ARGYLL: My Lords, I rise to lay on your Lordships' table, a Bill to extend and improve the Parochial Schools of Scotland, and to make further provision for the Education of the People of Scotland. It is not usual in your Lordships' House, on the occasion of the introduction of a Bill, to make any statement or explanation as to its contents; but in the present case I think that course necessary, and mainly for the reason that the Bill itself does not contain the whole scheme of the Government:—so that if the Bill were laid on the table, and circulated without any explanation of those parts of the scheme which lie outside the measure, considerable misunderstanding might arise as to its scope, and as to the intentions of the Government. In 1864, as your Lordships are aware, a Royal Commission was appointed by the Crown to inquire into the system of Scotch Education; and of that Commission I had the honour to be Chairman. It was composed of men of all political parties, and of almost all religious parties, interested in the cause of education in Scotland. It was pretty equally divided, so far as politics were concerned, between the Conservative and the Liberal parties, and contained members and representatives of the Established Church, of the Free Church, of the United Presbyterian Church, of the Episcopal Church, and lastly, of a school very powerful in Scotland in regard to education—the supporters of purely secular education. The Bill is substantially the Bill which was unanimously recommended by the Commission of 1864. I say substantially, because some minor modifications and alterations have been made in its provisions; but in its main principles it is the Bill of the Commission. In now approaching the consideration of the proposed measure, those new provisions are these to which I propose more particularly to refer. Those of your Lordships who are interested in the subject of education in Scotland will remember this important fact—that compulsory rating for the support of education has, for many generations, been the law of Scotland. We have a national system of education properly so called, entirely different from any which has hitherto existed in England, namely, a system of education and rating by Parliamentary authority—the parochial system of schools supported by rates, which are imposed by Parliamentary authority on the owners and occupiers of property. The salaries of the schoolmasters are regulated by law, and those salaries are raised by rates imposed by law. Your Lordships may naturally ask, if that be the case, what are the defects we desire to remedy in the existing system of education in Scotland? I will explain that in very few words. In the first place, the cities and towns of Scotland were never completely under the parochial system, and have altogether outgrown the means of education which the parochial system provides. In the second place, there are many parishes in Scotland in which the growth of the population has been so enormous that the parochial system has become altogether inadequate to supply the educational demands which that increase in population creates. And in the third and last place, there are and always have been many parishes which are so large in geographical extent that the parochial school, though subdivided into several branches, is wholly inadequate for the proper education of the people. There are several other defects in the existing system of education in Scotland, which I need not dwell upon. For example, imperfect provision with regard to school buildings, and—what is almost as important as any—the very imperfect provisions of the law for getting rid of bad and inefficient schoolmasters. These five great defects in the existing system we propose to deal with and to remedy by the Bill which I desire your Lordships should favourably consider. It will be obvious, from what I have said, that we cannot deal with the remedy for these defects precisely as Parliament has hitherto dealt with the parochial system of Scotland. Parishes are divisions known to the law, and it was a simple operation to enact that in every parish there should be one good and efficient school. But there are parts of parishes in which large populations have within late years arisen that are not known to the law, it is impossible in any general statute to indicate at once where new schools are required. In regard to those also it would be insufficient to enact that in every parish—in the city of Glasgow for instance—one school should be erected; and it might be inconvenient to enact that there should be more than one. All these are matters which must be determined by some authority having a full but discretionary power to go over all Scotland and say, "In this city education is defective, and you want so many more schools," or "This parish is too large, and you require more schools." So, in the manufacturing and mining districts, where the populations have greatly increased, new schools are required for the people. These are matters which Parliament could not undertake to deal with, except by means of a properly elected and properly constituted body, specially appointed for the purpose. That being the case, we must have some authority instituted to which Parliament will commit that full power of investigation as to the localities in which new school accommodation is required. The only point which I have heard questioned as to the Report of the Commission is as to the constitution of the authority to be vested with these large and discretionary powers. I have heard differences of opinion as to whether it should be vested in a Department of the Government in London, or in some body more particularly connected with Scotland. Now, for my own part, I cannot conceive any doubt being entertained on the question by those who have really looked into the extent and nature of the power it is proposed to intrust to this body. I have great respect for my noble Friend the President of the Council (Earl de Grey). There are few persons in England to whom I would more completely defer as a discretionary authority in such matters. I know that to some extent he is acquainted with Scotland, and that, at all events, during those two months in which Englishmen betake themselves for health of body and mind to Scotland, he occasionally honours us with his presence. But still I confess that if an ukase came from his office to me, saying "In your parish there is a great want of a school, and I desire it should be erected," I am not quite sure how I should comport myself in deference to the authority delegated to my noble Friend. It seems to me apparent that where you give such large powers, independent of parochial and municipal authorities, you must vest them in some body which is in the main Scotch, which is acquainted with the feelings and habits of the Scotch people, with the principles of their educational system, and, above all, which is of a representative character. It was on these grounds, and with these feelings, that the Commissioners unanimously recommended that a discretionary power should be vested in the Board, which was sketched in their draft Bill. I think, however, there were considerable objections to the constitution of the Board as originally sketched by the Commissioners; and, indeed, one or two of the Commissioners did dissent on that point of the constitution of the Board. We have, therefore, made an important alteration in it. There are three or four great parties or interests in Scotland who ought to be represented on such a body. In the first place, there is the interest of the proprietors of land, upon whom mainly, and almost exclusively the present burden of the parochial schools rests. In the second place, there are the interests of the burghs, over whom extensive and it may be thought arbitrary powers are given, and which ought therefore to be represented. Then, again, there are the interests of the higher education, and the opinions entertained upon the method of education by men themselves concerned in that higher education—namely, the Universities ought to be represented. I think it also necessary that the schoolmasters, who are on the whole a most respectable and intelligent body, and have done excellent service, and will be able to supply valuable information, should likewise have a voice; and, lastly, there is the Crown, which is usually represented in such Boards. That, therefore, is the constitution of the Board which we propose. We propose that the conveners of the counties of Scotland should elect two representatives, we propose that the burgh interest should elect two other representatives, and we propose that higher education should be represented by two members chosen by the Universities of Scotland, divided into those two groups into which the Parliamentary representation of those bodies is now divided. We also propose that the schoolmasters, through the organized institutions of which they are possessed, should elect one representative, and that two more, with a paid Chairman, should be nominated by the Crown. So much for the constitution of the Board. And now so far the provisions of the Bill might be very simple, and, if this were all that we should enact a very large proportion of the clauses of the Bill might altogether be dispensed with. If we had to deal with nothing but the old parochial system of Scotland, we might simply give to this Board full and discretionary powers to survey the whole of Scotland, to determine in what towns and in what parishes of towns, in what parishes and in what parts of parishes, it is absolutely necessary that new school accommodation should be provided, and we might be content to leave to that Board, in communication with the parties locally interested, full power to erect new schools where they might consider it necessary. But the matter is very much complicated by the introduction in Scotland, during recent years, of the Privy Council system of grants. That is an element foreign altogether to the ancient constitution of the parochial schools of Scotland. I do not mean to complain of the introduction of the system into Scotland. When it was determined by Parliament that out of the Imperial funds assistance should be given to local bodies in respect of education, it was impossible that Scotland should be excepted from the field of its operations. We contribute our full share to the Imperial revenues of the country, and it was but just and fair, that so far as we complied with the conditions of the Privy Council, we should be assisted in that proportion out of the general taxation of the country. But there were in Scotland special circumstances which undoubtedly brought out into very full relief the peculiar defects of the Privy Council system of grants. In the first place there was, at the very time these grants were introduced into Scotland, a very great excitement, and what I may call an exacerbation of the rivalry of ecclesiastical sects. Now, the very basis of the Privy Council grants is, that you meet local subscription by subventions from the Treasury; and local subscriptions in Scotland for particular schools were produced not merely with reference to the wants of the locality, but with regard to the desire of particular religious bodies to outstrip and rival each other in the educational management of the country. The consequence was that, to some extent, encouragement was given to schools erected out of mere denominational rivalry, and not with reference to the existing wants of the locality. I think, however — though the evidence taken by the Commissioners went far to prove that the operation of the Privy Council grants in this respect in certain localities were injurious—yet, taken as a whole, over the entire country, it could not be said that any very large proportion of the denominational schools were altogether useless for the education of the country. I can say, from my own personal observation and experience, that, in regard to a very considerable number of the schools which were erected —for example, by the Free Church— they were eminently useful in supplementing the parochial system. But, undoubtedly, in particular localities the system did stimulate and produce schools which were not otherwise required for the wants of the population. There is another inherent defect in the Privy Council system, which came out in very strong relief in Scotland, and which is coming out in strong relief in certain parts of England, and that is that you give to the richest parts of the country and withhold from the poorest. It is a necessary consequence of the principle on which the system is conducted. You give so much to aid those who subscribe in particular localities. In the richer localities the local subscriptions come forth freely and may be very large; but, in the poorer localities, where the population is much scattered and very poor, you cannot get local subscriptions, and although very often these are the very localities in which the State ought to give the greatest amount of assistance, they are precisely those in which the least help is given by the State. This is a defect inherent in the Privy Council system of grants; you cannot get rid of it so long as that principle is retained. Now, in Scotland, in a very large part of the country, the parishes are very large, the rental is very small, and the population is very poor. The result has been that you find all over the Highlands and the Hebrides of Scotland where the population is in the condition I have described, that the Privy Council system gives very little help; whereas in the richer counties, and amongst the richer population, who do not require so much assistance, a very large amount of Privy Council grants has been absorbed. I will not trouble the House on this occasion with statistics, but I may inform the House that, from the evidence produced before the Commission, it was quite apparent that this inherent defect in the Privy Council system of grants is very remarkable in the case of Scotland, and is especially evidenced in such a town as Glasgow. That city is cut in two, as your Lordships are aware, by the river Clyde, and the northern portion of Glasgow is comparatively the richer, almost all the wealthier inhabitants of the city living north of the river, and the population on the south side is very poor. Even in that small area the bad operation of the Privy Council grants has been most remarkable. A very large proportion of assistance given by the Privy Council has been absorbed by the wealthier part of the town, and hardly any has gone to the poorer suburbs. We wish to get rid, as far as Scotland is concerned, of this inherent defect in the Privy Council system—a defect which does not apply to our ancient national system, which was one intended to adapt the educational system of the State to the requirements of the various localities. But, although we desire to get rid of this defect, it is not so easy a matter to do so. A great many of the religious bodies have been enabled by these grants to build schools, and Parliament is pledged to them to a certain extent. It might happen—and probably would happen—that if you gave those schools an unlimited power of throwing themselves upon the ratepayers, they might be very glad to do so; but, on the other hand, where they are not really required by the parish it would be very hard to allow them to do so. The ratepayers might not be willing to take those schools from off the hands of the local managers: they have a right to say, "Oh, no, gentlemen; you put up these schools for your own sectarian purposes, and you have no right now to throw them upon the ratepayers of the parishes. We do not want them; they are not required by the population; and we decline altogether to take your schools from you." Under these circumstances, we again have recourse to the powers of the Board, and we give to the Board the power of looking over the whole of Scotland, and of selecting those denominational schools which are really required for the education of the people, and of adopting them—the effect of which adoption would not be necessarily to throw them upon the rates, but to secure to them the continuance of their Parliamentary grants. But then we go further, and would offer them the power to say, "We desire to be thrown upon the rates; we desire to give up our peculiar or sectarian management, and we desire to throw them upon the common management of the parochial schools." That, also, is a proposition which requires the assent of the other party; and several very important clauses in this Bill are intended to give the Board the power of consulting the two parties, and, where they are both agreed, of allowing those schools to be put upon the footing of parochial schools, under the management of a school committee, which is the representative of the ratepayers. In that way we hope for the future to avoid the waste of money which the Privy Council system of grants has undoubtedly occasioned in Scotland, and to apportion such funds as we may have from the Imperial taxation to the real wants and requirements of the country. There is a provision also for the future. This evil is to be stopped. There are to be no more denominational schools in Scotland after a given date—a date calculated with the view of keeping good faith with those who may have already applied for assistance and have had the promise of a subvention from the Parliamentary grant. We also propose—and this is very important—to give the central Board a very large power over the school buildings in Scotland. There is no defect in the existing system in Scotland which was more prominently brought under the notice of the Commissioners than the very great defect which exists in many parts of Scotland in regard to school building. We empower the Board to deal directly with the local parties, and to require that the school buildings in all cases shall be sufficient for the wants of the population, and the purposes for which they are built. We also propose to give to the Board full and I may say even arbitrary power with regard to the dismissal of the parochial teachers. This power is absolutely required. All previous Acts of Parliament have been practically useless for the purpose of getting rid of inefficient and bad masters. No doubt if a man is guilty of positive immorality—if you can prove him an immoral man in his life—he may be removed. But with regard to drunkenness, that is an offence exceedingly difficult to prove in Scotland. The difficulty of obtaining evidence upon that point is almost insuperable. You may ask a great many witnesses if they ever saw a certain man drunk, and their answer will be "No," but they will qualify it by such explanations as that "You would have kenn'd he had been tasting." It is extremely difficult to get any evidence upon that point. And so with regard to ill treatment of the children: if you can prove a master is cruel to them you can dismiss him; but for any other kind of inefficiency, complete idleness, such conduct as to estrange the affections of the people, as to prevent them from sending their children to school, you have practically now no remedy whatever. We propose to remove this, which is a great and crying evil in Scotland. I have known many cases where for years and years the highest and best interests of the population have been sacrificed to this absurd notion of some right of fee simple in the property of their offices enjoyed by schoolmasters in Scotland. We propose that the Board, in communication with the local authorities, and on receiving complaints from them, shall, as regards the masters appointed for the future, have an absolute power of dismissal for incompetency —allowing, of course, wherever the incompetence arises from physical inability or any causes not connected with moral delinquency, retiring allowances of sufficient amount. We propose also, that so far as regards the inspection of the schools, the Privy Council shall retain the power of appointing the Inspectors. We believe that the system works admirably at present, and it would be inconvenient that it should be altered. I apprehend it will be quite enough that copies of the Reports of the Inspectors should be sent to the Board in Scotland, and also that the Board should, at all times, have the power of appointing Special Inspectors with respect to any special defects which may be brought before them from particular localities. I now come to a point of great importance—I mean to certain modifications in the application of the New Code in Scotland, which, I think, we may be able to arrange with my noble Friend at the head of the Privy Council if this Bill should pass. The arrangements which are now in progress in the Office of the Privy Council must, in a great measure, depend upon the success of this measure, for, if this measure is passed by Parliament, we intend to introduce some important modifications in the application of the New Code to Scotland, based entirely on the peculiarities of our national system, and especially upon our adoption of the system of rating. The first main principle of the New Code is one which I, for my part, cordially adopt, and that is the payment by results. I think this fundamental principle is perfectly right. I think the masters and managers of schools ought to be paid according to the results of their teaching, as shown in the examination conducted by the Inspectors. This, which is the main principle of the New Code, is in no case to be departed from in Scotland. But there is another principle connected with the New Code in England which is altogether inapplicable to our peculiar condition in Scotland, and that is the distinction made between different classes of society. The theory of the New Code is, that their assistance is given only for the education of the poor, and for elementary branches of instruction only. But it has never been our habit in Scotland to divide society for educational purposes. On the contrary, it is the universal custom all over Scotland that men in very different classes of society should be educated together in the parochial schools. You will have the children of the poorest labourer sitting beside the children of the farmer who employs him, the children of the clergyman of the parish, and even in some cases of the landed gentry, sitting on the same bench and learning from the same master the same branches of instruction. It would be most injurious to the educational system of Scotland, and most unjust and inexpedient as regards the habit of the people, to make any distinction between the different classes of society. Therefore the payments of the Privy Council, measured by results, will be applied equally to all the scholars of the school, without reference to, or distinction between, the class of society to which they belong. The second modification I hope to see adopted is that some recognition should be given, within reasonable limits and under proper restrictions, to the higher branches of education. In the parish schools of Scotland we have never been accustomed to limit education to "the three R's." It has always been the custom of the parochial schoolmasters to teach geography, history, and very often Latin and Greek, even to the children of the poorest. I am much afraid that the proportion of the children who have gone on to those higher branches has of late years been a diminishing one; but that is still the case to a great extent, and it would be most injurious that any discouragement should be given to the practice. The third modification which we contemplate is that in regard to pupil teachers; their appointment should not be made contingent necessarily upon their attendance at normal schools, but that their attendance at the Universities, under certain restrictions hereafter to be agreed upon, should be taken as equivalent to their attendance at the normal schools. That will be a great boon to many of the poor scholars in Scotland. A very large proportion of the persons educated at the parish schools go direct from them to the University, and, while obtaining their education there, eke out their subsistence by teaching schools in the evening, after working hard all day in the University classes. Provided some guarantee is given that they really intend to pursue the profession of teachers and are keeping up some practice in teaching powers, attendance at the Universities may, I think, be taken as equivalent to their attendance at a normal school. The general principles upon which these modifications of the Privy Council Minutes are founded will be found in very general terms in the Schedule of the Bill which I now lay upon the table of the House. The first sentence of the Schedule is so important that I will read it—

> "The Committee of Council, within——months after the passing of this Act shall issue a Code of Minutes and Regulations according to which the sum of money voted by Parliament for public education shall be distributed in Scotland; and the Committee in the course of each year, as occasion requires, may cancel or modify any articles of the said Code, or may establish new articles, except as hereinafter mentioned; but"—

And this is the important passage—

> "But the said Code, or any alterations which shall be made thereon, shall not have any effect or operation until the same shall have been submitted to Parliament and laid on the tables of both Houses, for at least one calendar month; and such Code of Minutes and Regulations in force for the time being shall contain no directions or impose no conditions at variance with the regulations."

Now the first regulation is the important one—

> "Rule 1. The object of Parliament in voting such sum is to defray part of the cost of educating these scholars (without distinction of classes) in the national schools of Scotland, and in framing a Code of Minutes and Regulations for the distribution of such sum due care shall be taken by the said Committee that the standard of education which now exists in the parochial schools shall not be lowered, and that, as far as possible, as high a standard shall be maintained in all the national schools of Scotland."

That Schedule regulates the spirit in which the New Code shall be framed in its application to Scotland—no distinction between classes of society, and no discouragement, but rather encouragement, to the high standard of education which has hitherto existed. There is another point to which I must refer respecting a subject of general interest, both as regards England and Scotland. Your Lordships must have been struck with the very great difference which exists between the condition of public opinion in Scotland and in England upon this great subject of popular education. I think it cannot but surprise some Members of this House to be told that a Commission, consisting of men of all political parties and of all religious denominations in Scotland, have unanimously recommended the giving to a central Board such large and arbitrary powers of imposing additional rates for educational purposes—enabling it to go to great cities like Glasgow, having an important municipal body, and direct the erection of a school in any particular street or ward. How has this great difference of feeling arisen? Your Lordships will recollect the terms in which, last year, when the noble Duke opposite (the Duke of Marlborough), then President of the Council, introduced his Bill, he referred to permissive rating, the strong objections he urged to it, and how impossible he thought permissive rating in England. I really believe that if we were to propose a Bill for England, with powers of compulsory rating such as these, each particular hair on the noble Duke's head would stand on end, and I do not believe it would receive the assent of anything like the same proportion of men of all political parties in this country. The question naturally arises, how has this great difference of opinion between the two countries arisen? How is it that the people of Scotland are so anxious for education that they are willing—men of all parties and all Churches —to ask for such powers as these to be given to a central Board? The answer to the question is that this state of opinion is due to some of the great leaders of the Reformation in Scotland. The parochial system in Scotland was founded by John Knox, who laid down the principle, which has never faded from the popular mind in Scotland, that it is the duty and the function of the State to insist upon the education of the people. In language of singular eloquence and fervour, which even at this distance of 300 years, it is impossible to read without emotion, he insisted before the Parliament of Scotland that it was their absolute duty, if they desired that the light of the Reformation should be maintained in Scotland, to found a great system of national education. Nor was it a mere vague suggestion. Every part of the scheme—even that which we are now only about to adopt—was laid down in that address by Knox. He provided for the establishment of parish schools; he desired to see burgh schools for the middle classes; he desired the erection of great Colleges and Universities for the higher education to be given to the highest classes. Nay, more, he provided for annual and continual inspection, and he laid down a principle which only very lately has been acknowledged in our legislation, but which I strongly suspect is about to play an important part in the legislation of the country—that education in certain cases must even be made compulsory. That principle has been adopted by Parliament in all the Factory Acts, and in other Acts for the employment of children; it has been adopted bit by bit, slowly and quietly, and I believe there are many persons who are not at this moment aware of the extent to which our legislation is committed to that principle in England. That principle was laid down by the great Reformers of Scotland; the advantages which she has derived from her parochial system have all sprung from that source, and it is due to the memory of these men to say that this system of general education was laid down by them alone, and, so far as I know, in no other country to which the Reformation extended was it adopted in the same degree or the same importance attached to it. So far as I have been able to ascertain, no one of the English Reformers laid stress upon the education of the people, but the Reformers of Scotland alone. I believe the secret of the difference is this—that in Scotland the Reformation came from below, while in England it came from above; and hence the interests of the people were always foremost in the minds of the Scottish Reformers, and hence they derived their singular clear-sightedness on this question. It is from that source the Scottish people have derived their strong appreciation of the blessings of education. But, at the same time, I am bound in honesty to point out to this House that this Bill, in many respects, widely diverges from the principles laid down by our early Reformers. It is unquestionably true that in their time the education of Scotland was designed to be what is now called a denominational system. It was to be both national and denominational—that is to say, it was to be strictly national, but it was also to be strictly religious. Such a system was possible at that time. In the view of John Knox the whole population of the country was to be of one Church, and under these circumstances it was natural and perfectly right that the national system should be strictly denominational; that is to say, when the people were all of one religion and one Church it would be perfectly natural, and in my opinion perfectly right, that Parliament should connect education with the teaching of that Church. But, unfortunately, we are not now in the position in which John Knox was, or in which he hoped Scotland would be. For though we are not much divided in as regards doctrine, yet we are keenly divided on points of ecclesiastical discipline, and we can no longer hope for the establishment of a united system of education under any one Church. Under these circumstances I think a great step is now proposed by the system provided by this Bill—to cut off the connection between education and the conduct of particular religious bodies. The Inspectors are no longer to be necessarily members of any particular denomination, and they are not to be confined to the inspection of schools connected with any particular denomination. Above all, it is expressly provided that they are to take no cognizance of religious instruction unless the managers of the schools themselves desire such cognizance to be taken. This is an important part of the measure, and without it we could not possibly have had that assent to our measure which we have received from all parts of the country. We have full confidence that the ratepayers will conduct the new schools in respect of religious instruction much in the same way as the parish schools have been conducted. There really is no difference in the management of the different denominational schools in Scotland. It has been proved over and over again that parents do not care a halfpenny what is the religious connection of the school to which they send their children. They send them to the best school, whether that school be an Established Church school or a Free Church or an United Presbyterian school. We propose, therefore, to take no cognizance of religion in these schools. In point of principle this course is rendered all the more easy by the example set last year by the noble Duke opposite (the Duke of Marlborough) in recognizing, for the first time, secular schools in England as entitled to a share in the Privy Council grants. We take no notice of the religious instruction taught in any of these schools, except this, that we impose upon all the schools a stringent Conscience Clause. No public money is to be given to any school that does not submit to such a clause. But the truth is, that here also, I am glad to say, we are not met with the difficulties which prevail in England. In Scotland it has always been the custom that Roman Catholics may obtain the advantages of secular instruction at the parish schools without being compelled to go through the religious teaching. The same system has been universally adopted in the Free Church, and in every other—except, as I have been informed, though I hope it is not true, that the Episcopal Church will not allow secular instruction to be given in their schools without the pupils going through the catechisms of their Church. But, having thus given a general view of the principles of the Bill, I will not go further into details at present. At the proper time, and at a future stage—which I hope, as the Bill has received the assent of men of all parties, may be on going into Committee, which I propose to do after the Easter holidays—I shall be able to explain it more in detail, and I hope that the measure will finally receive the sanction of Parliament. In the meantime I would make one earnest appeal to the different religious bodies of Scotland to lay aside their minor differences, and to accept of this measure as on the whole a very favourable compromise. I know my countrymen well; I know the importance they attach, I think honourable, to abstract principle,—principles often so abstract, that it is difficult to get Englishmen to understand the importance attached to them. I know the tenacity with which they hold to their peculiar views, and I know that the Bill will not altogether coincide with the opinions of the extreme voluntaries or of the extreme supporters of the Established Church. I lay it on the table as a Bill embodying a reasonable compromise, and earnestly trust it will be received in the same spirit in Scotland. My firm belief is, that if it is adopted we shall confirm and extend the inestimable benefits we have already derived from our parochial system, and shall be erecting the best monument that we can raise in grateful memory of immortal names.

A Bill to extend and improve the Parochial Schools of Scotland, and to make further provision for the education of the people of Scotland—Was *presented* by The Duke of Argyll; read 1^{a}. (No. 11.)

PRIVATE BILLS.

Ordered, That this House will not receive any petition for a Private Bill after *Monday* the *22d of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any petition for a Private Bill approved by the Court of Chancery after *Monday* the *10th of May* next:

Ordered, That this House will not receive any report from the judges upon petitions presented to this House for Private Bills after *Monday* the *10th of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the doors of this House and Westminster Hall. (No. 10.)

BRAZILIAN SLAVE TRADE BILL [H.L.]

A Bill for repealing the Act of the Session of the eighth and ninth years of the reign of Her present Majesty, chapter one hundred and twenty-two—Was *presented* by The Earl of Clarendon; read 1^{a}. (No. 14.)

House adjourned at a quarter past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 25th February, 1869.

MINUTES.]—Public Bills—*Ordered*—Assessed Rates; Married Women's Property; Marriage with Deceased Wife's Sister.

First Reading—Annuity Tax (Edinburgh) [19]; Married Women's Property [20].

METROPOLIS GAS BILLS.

Mr. THOMAS CHAMBERS moved, "That the Imperial Gas Bill and the Bills of all other Companies supplying the Metropolis with Gas be referred to the same Committee." The hon. Member said, the object was to secure consistency of legislation and the protection of the consumer.

MR. LOCKE, in supporting the Motion, called the attention of the House to the Notice issued by the Board of Trade under the late Administration, from which it appeared that that Department contemplated bringing in a Bill similar to that passed last year for the Corporation of the City of London, and which would extend to the other parts of the metropolis those advantages which the City now enjoyed. The Act of the City Corporation had been of great benefit; it had lowered the price and improved the quality of the gas. At the same time it required alterations and additions, and therefore the Board of Trade issued a Notice on the 14th November last indicating their intention of bringing in a Bill to extend provisions similar to those of the City Corporation Act to the whole of the metropolis, and to enlarge and improve those provisions. He presumed that Bill when brought in would be referred to a Select Committee, and therefore it would be most prudent to prevent this Imperial Gas Bill from being taken into a Committee by itself, and to send it to the same Committee which would have to consider the Bill of the Board of Trade. A Committee on this subject, as far back as 1867, had concluded their Report with these words—

> "Unless the Companies are prepared during the Recess to consent to such an arrangement (the one suggested by the Committee), your Committee think that every facility should be afforded to the local authorities of the metropolis in the Session of 1868 for the introduction of an independent supply."

Advantage was taken of that recommendation by the Corporation of the City of London, but not by the Metropolitan Board of Works, who had no funds at their disposal to carry out such a project.

MR. BRIGHT said, the Notice given by the Board of Trade, some time before he joined the Government, was not given with any positive determination to introduce a Bill, but rather with the view of leaving the Department at liberty to determine what should be done when the House assembled. The matter had been discussed most fully since he became connected with the Board, and the conclusion arrived at was not to bring in any Bill on their part as a consequence of the Notice. The Bill now under consideration was the only one of great importance that was likely to come before the House this Session on behalf of the Gas Companies. It was a Bill by which it was proposed to raise a large amount of capital, and it was one, no doubt, that would require very careful consideration by the Committee to which it would be referred. In this case, as in most others, the Committee would be called upon to ascertain that not more than a necessary amount of capital was to be raised, and that security was taken that the capital should be duly and properly expended. It was true that in 1867 a Committee recommended that every facility should be afforded to the local authorities of the metropolis in the Session of 1868 for the introduction of an independent supply, but, unfortunately, in the metropolis, with the exception of the City of London, there did not appear to be any authority to whom the supply of gas could be wisely confided. The Metropolitan Board was really the only body, and they at present, for a variety of reasons, did not consider it desirable that the supply of gas should be undertaken by them. He took it for granted that, if the Metropolitan Board had the power to supply the metropolis with gas, they would not establish new works at any one place, but would arrange for the transfer to them of the pipes already laid, and the works already established. The Board, however, was not at present in a condition to undertake the duty, and in all probability its constitution would have to be reviewed by Parliament before so great a change was made. Under these circumstances he was unwilling to, as he thought, harass the Gas Companies by constant opposition in Parliament, when the Department was not prepared with any distinct policy which it could recommend to the House. There could be no objection to the Motion of the hon. and learned Member for Marylebone (Mr. T. Chambers) that the Gas Bills be referred to the same Committee.

MR. BREWER said, one of the great difficulties under which the metropolis outside the City of London laboured was, that by the Local Management Act there was no power given to any local body to come to Parliament for those advantages which the Select Committee of 1867 thought ought to be conceded to the ratepayers, who were compelled, therefore, to rely upon the Government.

Colonel SYKES said, gas was now supplied to the metropolis by companies which had been in the habit of dividing 10 per cent profits. The object of this Bill was to reduce those dividends, and this might be quite right; but they had been made the subject of family settlements, and if they were altered without due and careful provision, families might, in consequence, be reduced to ruin.

Mr. AYRTON said, he wished to correct an erroneous impression that the local authorities had no right to interfere in these questions. Some time ago the Standing Orders of the House were altered so as to allow the local authorities of the metropolis to appear against any Bill affecting the interests of which they had charge, and by their Act of Parliament they had power to take any proceedings they thought necessary for the interests of the inhabitants of the metropolis. They had power, therefore, for the protection of the inhabitants, if they chose to exercise it; but he was sorry to say that the local authorities of the metropolis rather avoided duties which they might very well perform, and endeavoured to throw them as much as possible upon the Government of the day.

Motion *agreed to.*

CONTAGIOUS DISEASES ACT, 1866. QUESTION.

Mr. MITFORD said, he would beg to ask the First Lord of the Treasury, If Her Majesty's Government will propose to Parliament any extension of the "Contagious Diseases Act, 1866," to places not mentioned in the first Schedule of that Act?

Mr. GLADSTONE said, that Government had under their consideration the course to be taken with respect to that Act, and would in a short time state the conclusion at which they had arrived.

IRELAND—MEDICAL AND EDUCATIONAL CHARGES.—QUESTION.

Mr. GREGORY said, he would beg to ask the Secretary to the Treasury, Whether, in accordance with the pledge given that the Irish Unions should be relieved of half the Medical and the whole of their Educational Charges, it is the intention of Her Majesty's Government to add the deficiency of the sum voted last year for that purpose to the Estimate of the present year?

Mr. AYRTON said, the facts were not exactly as suggested by the Question of the hon. Member. He had made inquiry into the subject, and the arrangements adopted, as far as he understood, were that an Estimate should be made at the beginning of the year of the sum that would be required to meet the charges in each of the unions, and if at the end of the year that Estimate was exceeded, the Treasury should not pay the excess; but if the expenditure was less than the Estimate then the actual charge only should be paid by the Treasury. In accordance with that arrangement no application has been made to the Treasury for any further claim, and the subject had not been brought under their consideration.

CONSTITUTION OF THE BOARD OF ADMIRALTY.—QUESTION.

Sir JAMES ELPHINSTONE said, he would beg to ask the First Lord of the Admiralty, Whether any changes have been made in the constitution of the Board of Admiralty or Coast Guard Office since the accession of the present Government to Office; whether the changes, if any, have involved any increase of salaries; have led to any resignations and to the granting of pensions; whether any clerks in the Office who had obtained their appointments by competitive examination or otherwise have been discharged; and, if so, what compensation has been awarded to them in consequence of their discharge; and, the number of men who have been discharged from the various Dockyards by Her Majesty's Government, their grades and occupations, and the pensions and gratuities granted to them?

Mr. CHILDERS: In reply to my hon. Friend, I have to inform the House that it had been my intention to give the fullest particulars of the changes at the Board of Admiralty, and of the reductions both in the clerical and professional establishments, when I bring forward the Navy Estimates, and that I am at some disadvantage in merely answering a string of Questions without being able at some length to explain the reasons for the acts of public policy to which they refer; but I will answer them as clearly as I can. My Answer to the first

Question is that the changes in the constitution of the Board of Admiralty and the Coastguard Office are the following :—Formerly the naval business was conducted by four naval officers and a civilian, acting under a First Lord, who might or might not be a civilian; and with a First Secretary, also sometimes a naval officer, carrying out their decisions, and, if the First Lord was a Peer, their representative in this House. The change which I have made is that the business of the Admiralty is conducted in the same manner as in the other principal Departments of Government. All questions relating to the *personnel* of the Navy are dealt with under my instructions by, and are brought before me by, the First Naval Lord, who is assisted by a Junior Naval Lord, my hon. and gallant Friend the Member for Ripon (Lord John Hay); all questions relating to the dockyards, to stores, and to manufactures—in fact, to the *materiel* of the navy, are in the same manner dealt with by the Controller of the Navy, who has the title of Third Lord. The finance of the Department—that is, the duty of separately inquiring into all questions of expenditure, whether they concern the *personnel* or *materiel*, is assigned to the Financial or Parliamentary Secretary, my hon. Friend the Member for Montrose (Mr. Baxter), assisted by the Civil Lord. Each of these Officers is responsible to me, in the same manner as the Controller General and the Under Secretaries are responsible to the Secretary of State for War. The offices of Controller and Deputy Controller of the Coastguard are abolished. Their duties are assigned to the First Naval Lord, to whom a post captain has been attached for the details of this and other services. The First Naval Lord also submits to me all proposals relative to the movement of the fleets, the manning, discipline, victualling, and health of the navy. The Third Lord and Controller similarly has charge of all questions connected with the dockyards, the steam reserve, and stores; and is practically in the exact position intended by the Dockyard Commission of 1860, to be assigned to the Controller General. In answer to the second Question, I have to say that these changes have had the result of reducing the number of superior officers at the Admiralty, including the Board, from seventeen to thirteen. Their salaries and allowances (not including half-pay) which were £24,901, are now £21,000; and, instead of occupying six official houses, they only occupy three, the others being used for clerks and officers brought from Somerset House. This office accommodation is worth at least £1,200 a year, so that the saving is altogether £5,101 a year, besides the great advantage and economy of concentrating the Department. The increase of individual salaries and allowances granted in consideration of increased responsibility are that the First Sea Lord receives £1,500 a year, instead of rather more than £1,100; the Controller, who has no house, £1,700, instead of £1,300; and the Constructor £1,200, instead of £1,000. There are also some small increases in minor salaries, more than covered by reductions. In answer to the third Question, I have to say that two of the reductions are in the Board itself, and therefore led to no resignations; one, that of the Controller of the Coastguard, anticipated the natural end of his term of service by a few days; the fourth, that of the Storekeeper General, could not have been long delayed, as he had been for forty-two years in the service. His is the only pension, and he could have claimed it for some years past. Before I answer the fourth Question, as to clerks, I must remind my hon. Friend that in the Notice he gave me he spoke of the "violation on the part of Her Majesty's Government of the implied agreement with clerks consequent on their obtaining their appointment by open competition, or otherwise." I see now that he has omitted these words; but, as he included them in his original Notice, I feel bound to say that the only agreement between the Government and their clerks is contained in the 7th section of the Act 22 *Vict.* c. 26, which prescribes what compensation shall be given to a clerk, whether his service be under five, ten, twenty, or any number of years, on his office being abolished or reduced. This Act and the Treasury Minute based on it, dated the 14th of June, 1859, have been in force for ten years, and are perfectly well known to the whole Civil Service. The only duty of the Government is not to exercise its powers under the Act in a manner detrimental to the public service, or partial so far as individual officers are concerned. What has been done is this:—When the Controller's separate office was abolished it was ascertained that under the new arrangements twelve clerks and three writers would have nothing to do; and when the Coastguard separate office was abolished, that out of twenty clerks and others, only two, or at the outside three, would be wanted, the saving in the two Departments being £7,991 a year. Notices accordingly were given to these thirty-three clerks and others that after the 31st of March their services would not be required in those Departments; but they were also informed that they would receive the compensation granted by the Act, would be put on a redundant list from which all similar appointments would be made, and that this list would be communicated to the Treasury. Before I decided on the reduction in the Coastguard Office I also appointed, three weeks ago, a Committee, consisting of Lord Camperdown, my hon. Friend the Member for Montrose (Mr. Baxter), and Mr. Anderson, the Assistant Controller and Auditor, whose business it has been to inquire in all the Departments of the Admiralty, whether arrangements can be made under which other officers, who might be better spared, could be retired instead of some of those to whom notice had to be given. They also have to consider very large reductions which, as will be seen by the Estimates, are being made in the Accountant General's, Store, Medical, and other branches. I have authorized them to inquire throughout the Admiralty Departments in London what clerks who can be spared may be willing to retire, and I have reason to believe that few, if any, efficient clerks will be discharged against their will, the reduction being mainly among the seniors and writers, although the whole reduction of about £14,000 a year in clerical expenditure in London will be effected; and if any should be necessarily put on the redundant list, they will, if efficient, be re-appointed to the first vacancies. In reply to the last Question, I have to state that Her Majesty's present Government have discharged no men from the dockyards, although they have given notice that in October next Woolwich will be closed, and as many as possible of the men employed there transferred to other yards. To effect this it will be seen by the Estimates that the number of men will be increased by 320 at Portsmouth, 240 at Devonport, and 200 at the small yards, and no fresh appointment will be made. I hope thus to continue all the established dockyard and factory men and some of the others. If my hon. Friend's Question refers to the discharges which occurred in the present financial year before I went to the Admiralty, I have to inform him that the number of artificers and labourers discharged from Her Majesty's dockyards from March to December, 1868—including a few deaths which I have not had time to ascertain separately, and exclusive of those from Deptford, which it was decided by my predecessor to close—was 5,409, and the number of entries 780, giving a net reduction of 4,629. Of these, 325 were established men, and of them 304 received pensions, averaging £26 per man; eighty-one non-established men received gratuities averaging £21. But of these men who were discharged about 2,000 were temporarily engaged in the previous October in excess of the number provided by the Estimates of 1867-8, and they were well aware that they would only be employed for a few months. I should add that at Deptford—which is dying out as a dockyard, and will be closed on the 31st of March—sixty-one established men have been pensioned off and 111 hired men discharged.

Sir JAMES ELPHINSTONE explained that the alteration in his Question had been made by the Clerk at the table. He also gave Notice that when the Navy Estimates came on for consideration, he would ask whether the reductions the First Lord had referred to were made in conformity with the present patents?

QUEEN'S SPEECH.

HER MAJESTY'S ANSWER TO THE ADDRESS.

Mr. Speaker *reported* Her Majesty's Answer to the Address, as follows:—

"*I have received with satisfaction your loyal and dutiful Address.*

"*I gladly rely on the Members of a House of Commons, elected by a greatly enlarged Constituency, to co-operate with Me in My endeavours to promote the welfare and union of My People.*"

CONSECRATION FEES.—QUESTION.

MR. MONK said, he would beg to ask the Secretary to the Treasury, Whether the table of Fees to be taken on Consecrations and Ordinations under the provisions of the Act 30 and 31 Victoria, c. 135, which was being prepared in April last, has been submitted to the Lords of Her Majesty's Treasury for their approval?

MR. AYRTON said, the table referred to had been received at the Treasury on the 23rd of this month, and was now under consideration.

THE "ALABAMA" CLAIMS.—QUESTION.

MR. M'CULLAGH TORRENS said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether any authentic information has been received of the rejection by the Senate of the United States of the Convention regarding the *Alabama* claims; and, whether he can inform the House that the Protocol regarding mutual rights of naturalization has been accepted?

MR. OTWAY, in reply, said, no authentic information had been received at the Foreign Office of the rejection by the Senate of the United States of the Convention relating to the *Alabama* claims. His hon. Friend the Member for Finsbury had correctly described the agreement which had been come to with respect to the mutual rights of naturalization as a "Protocol" and not a "Convention." He had no intelligence that it had either been accepted or rejected. The Report of the Naturalization Commission had been received, and had been laid by him upon the table of the House that evening.

HUDSON'S BAY COMPANY, BRITISH COLUMBIA.—QUESTION.

SIR HARRY VERNEY said, he would beg to ask the Under Secretary of State for the Colonies, What is the state of the Negotiation with the Hudson's Bay Company for surrendering to the Crown the rights which they claim over their territory in North America; and, whether any and what steps have been taken with a view to establish a communication by road and telegraph from the Atlantic to the Pacific, by the Red River Settlement, the River Satchkatchewan, and British Columbia?

MR. MONSELL, in reply, said, that negotiations were still pending between the Dominion of Canada and the Hudson's Bay Company for surrendering the rights which they claimed over their territory to the Dominion of Canada, and it would be obviously undesirable for him now to make any statement on the subject. With regard to the latter part of the Question he had to inform his hon. Friend that in 1862 communications were begun between the Imperial Government, the Canadian authorities, and the Hudson's Bay Company for establishing passenger and telegraphic communication between the Atlantic and the Pacific. These negotiations continued till 1864, and in consequence of them the Hudson's Bay Company purchased all the necessary materials for constructing the electric telegraph from the Lakes of Canada to the Pacific; but in consequence of the negotiations that were going on for the transfer to the Dominion of Canada of the whole of the territory of the Hudson's Bay Company, the other matter had not been proceeded with.

INDIA—NATIVE SCHOLARSHIPS.
QUESTION.

SIR STAFFORD NORTHCOTE said, he would beg to ask the Under Secretary of State for India, What arrangements have been made with reference to the Scholarships recently established by the Government of India for Natives of that country desirous of prosecuting their studies in England; and, whether there are any Papers on the subject which he can lay upon the Table?

MR. GRANT DUFF, in reply, said, the subject to which the Question referred was a deeply interesting one, and was still under consideration, and as soon as the Papers were in a complete form he should be happy to lay them upon the table. The House would probably be interested to know that the first competitive Scholarship conferred by the Government of India had been gained by a young native of Assam, and the Government had just been informed by the Government of Bengal that he was expected to arrive in England in a few days.

INDIA—THE NAWAB OF TONK.
QUESTION.

MR. STACPOOLE said, he would beg to ask the Under Secretary of State for India, If he has any objection to lay upon the Table all the Papers connected with the deposition of the Nawab of Tonk; Copy of the said Nawab's application for permission to leave Benares, his present place of exile, for the purpose of visiting England, together with the grounds upon which the late Governor General refused such application; and, whether he has any objection to lay upon the Table the Letter of Professor Syed Abdoollah, dated the 19th of January last, offering remarks on the subject of Native Indian servants and others brought from India to England, and who are frequently thereafter found destitute in the streets of London; and also to explain under what circumstances the Resolution of the Bombay Government, dated the 11th of February 1846, and which required that any one bringing Asiatic or African servants to Europe should deposit certain sums of money in the Government Treasury as a guarantee for the safe return of the said servants, was repealed?

Mr. GRANT DUFF, in reply, said, he had no objection to produce the Papers connected with the Nawab's deposition, but the Papers connected with his application to leave Benares had not yet been received from India. With regard to the latter part of the Question, he had to say that the resolution of the Bombay Government alluded to was, he believed, not found of much practical use, and had fallen into desuetude. The fact was that the Oriental vagrants in the streets of London were not generally dismissed servants, but adventurers or suitors who had come here on their own account. The whole of this subject, however, was of importance, and was receiving attention.

IRELAND—THE FENIAN CONVICTS.
QUESTION.

Sir FREDERICK HEYGATE said, he would beg to ask the Chief Secretary for Ireland, Whether, in the selection of those Fenian Convicts now proposed to be released, the course has been adopted usual in the remission of sentences of obtaining the approval of the Judge who tried each case?

Mr. CHICHESTER FORTESCUE, in reply, said, that in ordinary cases when a memorial was presented from a prisoner for a mitigation of punishment or a free pardon, that memorial was referred to the Judge who had tried the case. But in the present instance no such memorial had been received by the Government, and the question was not considered as one respecting a mitigation of an ordinary sentence. On the contrary, it was regarded by the Government as a question to be decided by themselves and by the Lord Lieutenant of Ireland. What they did was to institute a most rigid examination into the case of each prisoner, and in conducting that examination they had the assistance of the Law Officers of the Crown, and more especially of the Attorney General. The examination was conducted in every case in reference to the character of the person and the circumstances of the case, and to all that came out at the trial. Having done that, Her Majesty's Government and the Lord Lieutenant were of opinion that it was their duty to decide the question solely on their own responsibility, and without inviting the Judges to share that responsibility.

INDIA—REMOVAL OF THE SEAT OF GOVERNMENT.—QUESTION.

Mr. DILKE said, he would beg to ask the Under Secretary of State for India, Whether it is true that the Governor General of India is to reside at Simla during the greater portion of the present year; and whether, if this be the case, it is the intention of Her Majesty's Government to remove the nominal seat of the Government of India from Calcutta to some more healthy spot?

Mr. GRANT DUFF said, in reply, he had received no information whatever as to whether the Governor General intended to reside at Simla the greater part, if indeed any part, of this year. The question of the change of the nominal capital of India from Calcutta to some other place was of course a very important and interesting one, but it was right he should distinctly state that that question had not passed out of the stage of irresponsible discussion and examination, and that it was not in any form or shape, at present under the consideration of the Government.

ACCIDENTS IN COAL MINES.
QUESTION.

Mr. GREENE said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce any measure this Session for the further prevention of Accidents in Coal Mines?

MR. KNATCHBULL-HUGESSEN, in the absence of his right hon. Friend the Secretary of State, replied, that a Bill upon that subject was in course of preparation, and that it would before long be laid before the House.

SALISBURY GAOL—REMOVAL OF PRISONERS.—QUESTION.

DR. LUSH said, he would beg to ask the Secretary of State for the Home Department, Whether, since his Letter to the Mayor of Salisbury, in which he informed him that he had advised delay in the removal of the prisoners from the Salisbury Gaol until after the Report of the Judicature Commission had been issued, he had seen reason to alter his opinion, and upon what grounds?

MR. KNATCHBULL-HUGESSEN said, in reply, that the magistrates of Wiltshire, who were the prison authorities, having come to the conclusion that one prison was sufficient for the requirements of the county, took steps to close Salisbury Gaol either wholly or partially, and to commit prisoners in future to that at Devizes. The Act of 1865, no doubt, empowered them to order commitments of any particular class of prisoners to be confined to that prison only, but a doubt arose as to whether they had power under the Act to remove those who were actually undergoing sentence in the prison it was proposed to abandon. They therefore applied to the Home Office, under the 65th section of the Act, for an Order under which such prisoners might be removed. But before that application had been made, a memorial had been presented against the abolition of Salisbury Gaol, and subsequently he (Mr. Knatchbull-Hugessen) had received a deputation which opposed the granting of such Order of removal upon three grounds:—First, that a mandamus was about to be applied for, to compel the prison authorities to put Salisbury Gaol into proper repair; secondly, that it was understood that the Report of the Judicature Commission, which was shortly expected, would recommend Salisbury as the assize town for three counties, and that in such case the prison authorities would probably be ready to spend money upon it; and, thirdly, that in consequence of this expectation, the October Quarter Sessions had resolved, by a majority, to suspend further proceedings in the matter until the Report of the Judicature Commission had been published. Upon that the Home Secretary wrote a letter to the authorities of Wiltshire suggesting that the litigation and expense might be avoided if the Order for removal were deferred until the Judicature Commission should issue their Report. In answer to this letter a very influential deputation of Wiltshire magistrates waited upon the Home Secretary, and stated that a large sum of money had been already expended on the gaol at Devizes, which had been duly certified in all respects as fit for occupation; they showed that the action of the prison authorities had been consistent and uniform, pointing to the establishment of one gaol and the abolition of another; they showed that the resolution of October last had been carried by what is usually called a "snap division," and that the proposal to ask for an Order of removal had been carried by a much larger majority in a larger court at the last Session; and they urged that very great inconvenience would be occasioned if the said Order for removal were not put in force. They gave an assurance, moreover, that whatever the Report of the Judicature Commission might be they would not be inclined to expend money on the Prison of Salisbury. The Secretary of State, therefore, felt that, as litigation and expense would evidently not be avoided by the further suspension of the Order of removal, and as the Act of Parliament intended that the local prison authorities should regulate their own affairs, it would hardly be right for him to take upon himself the responsibility of over-ruling their decision. He had given no opinion on the merits of the question, but simply carried out the decision at which the prison authorities had arrived.

METALLIFEROUS MINES.—QUESTION.

MR. KINNAIRD said, he would beg to ask the Secretary State for the Home Department, Whether it is the intention of the Government to bring in a Bill for the better regulation of the "Metalliferous Mines," in accordance with the recommendations of the Mines Commission?

MR. KNATCHBULL-HUGESSEN said, that the subject had received the full consideration of the Government, and though he was not prepared to say that a Bill was in actual preparation, he hoped that legislation on the subject would not be long postponed.

ASSESSED RATES BILL.

MOTION FOR LEAVE.

Mr. GOSCHEN, in rising to ask leave to bring in a Bill for amending the Law with respect to Rates assessed upon Occupiers for short terms, said, it might be convenient to the House if he were to explain briefly the general principles upon which the measure was founded. He wished to be allowed to state, in the first instance, that the Government had approached this subject with an anxious desire not to interfere with the electoral machinery established by the Bill of 1867. They had considered how far they could deal with what was really a grievance affecting a very large number of ratepayers, but at the same time they did not wish to revive more than was absolutely necessary—he hoped not at all—the political discussions on the subject which took place in that House two years ago. That the matter was one of importance would not be denied by any one on either side of the House. Hon. Members opposite were as well aware as Gentlemen on that (the Ministerial) side of the great difficulties that had been experienced in many places in collecting the rates from weekly tenants; and as regarded their number, it might be in the recollection of the House that there were at least 700,000 occupiers under £10 a year, and a very great majority of those 700,000 were weekly tenants, by which he meant tenants for short terms, or less than a quarter of a year. He was not now speaking of tenants above or below any particular line—above £6 or below it—but of weekly tenants in general, and he wished to put as briefly as possible the position in which those tenants stand. The real point of their difficulty was this—that rates were levied, not for past expenditure, but for expenditure to come—that they were levied to cover a certain period in advance. In many places rates were levied for the year, in other places for six months, and seldom for less than a quarter. If, therefore, they assessed a tenant for short terms to these rates, they came to this position—that they taxed the weekly tenant in advance for a time materially longer than his own occupation. They went to him and said, "You must pay the rate for six months in advance, though your landlord may turn you to-morrow out of doors." It had been said in "another place" that the grievance had not been ascertained and proved; but he thought it stood to reason that there was great hardship in coming to any one, rich or poor, and telling him he was to clear his tenement of rates several months in advance, though he might be called upon to leave the tenement the day after. He did not see that the question of furnished or unfurnished apartments made any great difference, because, though the richer classes found it difficult to remove their furniture, that was not the case with the poorer classes. But what would be said if any one taking furnished apartments for a fortnight were asked to pay the rates of the house for twelve months to come? Well, that was the precise position in which the great majority of the weekly tenants stood. And there was this further peculiarity in the case, that under many local Acts the overseers had not got it in their power legally to levy the rates by instalments. They might make arrangements voluntarily to do so, but if they had to summon a ratepayer they must summon for the whole rate. That was a part of the grievance which had created a certain sense of wrong among a very large class of ratepayers, for they said they were not asked to pay a rate levied on them simply for the term of their occupation, but a large lump sum for six months or twelve months together. The Government looked on this question not as a political one, but simply in this light—whether, if a remedy could be found, they were to allow a vast number of weekly tenants to be left in their present position. If it was said that this was an old grievance—that the rate was demanded from weekly tenants in advance, even before composition was introduced or the Reform Bill passed, that was very true, but composition was introduced many years ago with the very object of meeting this grievance. Formerly the rates used to be made for much shorter terms, but latterly, especially in the larger towns, where there were such vast numbers of ratepayers, it had become the custom to levy them quarterly or half yearly, in order to avoid the additional expense of collecting them if levied more frequently.

By the statute of Elizabeth the rates were to be levied weekly, and then it was proper that weekly tenants should pay. The inconvenience of weekly collection, however, soon came to be felt, but then it was the hardship to the owner, not the weekly tenant, that was taken into consideration, and composition was introduced for the sake of the parish and the owners, as was apparent from the preamble of the various Bills for rating the owners. He thought if the House took the question of local taxation in hand they would feel it quite right to consider this matter fully, quite regardless of the Bill of 1867. He held that the Government might challenge the House on this question, irrespective of any political considerations. Circulars had been issued from the Poor Law Board and the Home Office under the late Government with reference to the great number of summonses issued for rates, and also to the payment of rates by the owners in lieu of the tenants; and the House would remember that on various occasions when rates had been levied in the large towns they had seen reports in the newspapers of the vast number of summonses issued, and also of excusals from rates in consequence of the recent change in the law. Taking the East of London, in the spring of 1868, in Shoreditch there were 15,000 summonses issued; in Bethnal Green and Mile End the case was much the same; in Hackney the number issued was 6,000—the hearing of the whole of them being fixed for the same day; and in Lambeth the number was 7,000. Again, in Birmingham in October, 1867, there were 25,000 persons summoned, and in May, 1868, 15,000, the number of warrants of distress being 5,000, and the cost to Birmingham of the proceedings upwards of £3,000. Such was the case in regard to the inconvenience to the tenant. He asked the House whether it was expedient or desirable, in a public point of view, that there should be that enormous number of summonses and excusals? Was it desirable that there should be every kind of evasion of the law in order to turn the corner of an Act which it was so difficult to carry into execution. It was found so difficult to collect the rates from the tenants that, in many instances by a mutual understanding, the owners continued to pay them for the tenants, and he was sure that hon. Gentlemen opposite would not deny that that was a convenient arrangement, and one which ought not to be interfered with. He might quote the authority of the late President of the Poor Law Board, who issued a Circular to the overseers of the various parishes to this effect—

> "The Board desire to remark that, except in regard to the provision whereby owners were sometimes liable to be rated in the place of the occupiers of houses and tenements, the law according to which the poor rate is made, levied, and collected, as it existed before the passing of the Act, is unchanged. It follows in their opinion that, as heretofore, the payment of the poor rate need not have been made by the person assessed himself, but the payment by an authorized agent acting for him would have been sufficient; so, notwithstanding the provisions of this Act, the rate may be paid by any other person on behalf of the person rated, if duly authorized by such last mentioned person to make the payment; and they think that the overseer will not be justified in refusing to receive the payment of the rate when so tendered or to give a receipt for it. The several cases of "Rex *v.* Bridgewater," 3 *T. R.*, 550; "Q *v.* Benjeworth," 3 *B. and E.*, 637; and "Q. *v.* The Mayor of Bridgnorth," 10 *Ad. and E.*, 66, show that the person who pays the rate for the person assessed must have authority from him for making such payment, either express or implied.'

That Circular showed that at present the landlords practically paid the rates for the tenants in a vast number of cases. He had himself received several deputations of overseers from the East of London, and when he asked them by whom the rates in their unions and parishes were paid, in nearly every case they replied, the owners. He asked them how they managed it, and they answered that they practically made the owners pay, because they told the owners that otherwise they should have to harass their tenants weekly to get the rates, and the owners felt that that would be such a hardship to their tenants that they practically undertook to pay for them. He said to the overseers, "Of course you do not pay a commission for this to the landlord, because that would be illegal?" They answered "No." Then he asked, "How do you indemnify the owners?" and the reply was, "By lowering the assessment of the houses." Thus by what he called a kind of collusion, the Act had really become inoperative. They went to the tenants, and not getting the rates from them, they entered into a sort of half illegal arrangement with the landlords, and the occupiers did not practically pay the rates. The change which he now proposed was not at all violent, but went on the acknowledged principle that payment by the landlord was practically payment by the tenant, if the former was authorized by the latter to pay. That being the state of the case, it was most desirable to remove the evils that had arisen in respect to summonses, and also to excusals, which had attained an unprecedented scale since the passing of the Act of 1867. The Circular issued by the Home Office showed that that Departpartment was as alive as the Poor Law Board to the great difficulties connected with that Act. The Circular of the Home Office stated—

> "I am directed by Mr. Secretary Hardy to state, for the information of the Justices for whom you are acting as clerk, that, in consequence of the large number of summonses for the recovery of rates which have been issued in certain boroughs in which, prior to the passing of the Representation of the People Act, 1867, the system of compounding was in force, his attention has been directed to the mode of excusing poor persons from the payment of rates on the ground of poverty, under the authority conferred upon the Justices by the Act 54 *Geo.* III., c. 170, s. 11."

The Circular then pointed to the mode in which summonses had been issued and excuses allowed, and suggested certain alterations in procedure. Surely it was better to try to avoid those excusals, by which some kinds of property escaped from rates, while they also added to the grievance of those weekly tenants who did pay by making them pay for others who were excused; for, of course, the more persons they excused, the greater in proportion was the burden thrown upon all who really had to pay. He was sure he was not using too strong language if he said that the present mode of collecting rates from weekly tenants was unjust in principle, and demoralizing in practice, tempting them, on the one hand, to evade the law, and exasperating them when they could not do so. These were the reasons which induced the Government to think it was absolutely necessary to legislate on the subject, and he was sure that if the late Government had remained in Office they would have thought the same thing. It would be remembered that a Select Committee sat upon that subject last year to inquire into the operation of that Act; and that Committee agreed to certain recommendations, some of which he thought were valuable, while with others of them he confessed he could not agree. But their Report showed that it was necessary to do something in the matter, which could not be left on its present footing. It would be impossible to deal with the whole question of rating this year and carry out all the improvements in it which were desirable; but this matter, he thought, might be set right by a very simple arrangement. He would now describe what the Government proposed to do. They did not propose to touch the Reform Bill or the electoral machinery. They thought it would be unwise at present to raise the question as to whether the rate-book should be the register. The rate-book had remained as the basis of the register under the Representation of the People Act of 1867, and it would remain as its basis under the Bill which he now proposed. The chief point seemed to him to be this —that they should accept the principle that it would be wiser to call on the landlords rather than the tenants to bear the ultimate burden of the rates. Therefore they proposed that the occupiers of tenements held for short terms should still continue to be rated, and be liable to pay the rates, with their names on the rate-book, but that they should be allowed to deduct the rate they paid from the rents due, or accruing due, to their landlords. That would be the first proposal of the Bill. But then it might be said that as the rate they would collect might exceed the rent which the tenant would have to pay, it might be difficult to carry out that which he regarded as the principle of the Bill, —namely, that no weekly tenant should be called upon to pay rates for a longer term than that of his occupation. Therefore it would be necessary to have a second stipulation for dividing the rate into instalments. They proposed that the overseers should not be entitled to collect more than a quarter's rate from weekly tenants, and that such tenants should not be required to pay more of the rates than would be covered by two weeks' rent. Thus, as those tenants must have two weeks' notice, in no case would they be out of pocket for the rate levied from them. The incidence of the rate, even if very heavy, was never likely to be so great but that a quarter's rate would be covered by a fortnight's rent; and in that way he thought the grievances of the weekly tenants would be remedied to a very great extent. The Bill did not interfere with the question of voluntary arrangements by which the landlord paid the rate. That would be left on its present footing, with one exception, to which he would presently allude. The Bill would not interfere in the least with such arrangements, but rather rendered it far more probable that landlords would adopt them. At present the landlord was under a temptation to make such arrangements with only a certain portion of his tenants, and not with others, believing that those others would be excused. But if the landlord knew that he must pay the rate—a perfectly equitable arrangement, as he thought—he would not have that inducement to refuse those voluntary agreements. But it would be said that this would place a liability on the owners of one kind of property which would not be put upon the owners of another—that the man who owned houses which let by the week would be obliged to pay the rates on them, and it would be asked why should he have to do so, any more than the owners of houses of another class—why should he have an additional liability put upon him? Now, there might be some force in that argument, because it was apparent that such a landlord might have to pay rates for property that was not let during the whole of the period for which the rate extended. It would, he thought, be admitted that in return for the liability put upon him the landlord was entitled to a certain indemnity. As a fresh charge would be placed on a certain kind of property, the Bill proposed that that circumstance should be taken into account in determining the rateable value of that kind of property. The landlords would have to bear a new burden, which would depreciate *pro tanto* the value of their property, and therefore it was proposed that any loss they might sustain in this way should be made up to them. Such, in brief, were the proposals which the Government deemed it their duty to make, and he hoped that while they would not be found to be inconsistent with the views of those hon. Gentlemen opposite who attached great importance to the rating provisions of the Reform Act, they would prove to be a practical remedy for the inconveniences which had arisen under the existing system. The weekly tenant would no longer be exposed to a risk which he had now constantly to run, namely—that of leaving his cottage, after paying six months' rates, and being unable to recover from the tenant that succeeded him his share. In some respects, indeed, a weekly tenant would be better off under the provisions of this Bill than he was under the old system of composition, while, on the other hand, the proposed method would be free from those arbitrary deductions which constituted one of the chief objections to the composition system. He would be better off in this respect—that he would know he could no longer be called upon to pay his rates and his rent too. At present, if the rates were not paid, the goods of the occupier might be distrained, so that, although he might have paid his rent, he would still be liable for a large amount of rates. By the provisions of the present Bill the weekly tenant would also be relieved from the grievance of having to pay his rates in a lump sum. This was a grievance which had caused a very great deal of irritation. Weekly tenants were in the habit of paying for everything by weekly instalments, and did not like to be called upon for payment in a lump of what to them was a considerable sum—say £1, or £1 5*s*., for example. They now evaded the difficulty by the arrangements they entered into with their landlords, but under the provisions of the Bill which he should ask leave to introduce there would be no evasion of any kind. As regarded the position of weekly tenants with reference to the Reform Act of 1867, he submitted that the principle which had been mainly contended for was that the rates on all property that gave a title to the electoral franchise should be paid by the tenant. But it was evident from the Circular he had quoted that the rates need not be paid by the tenant in person. In point of fact, the rates were often paid by the landlord now, though he was not able to get any indemnity for so doing. Moreover the Bill would not in the least affect the residential qualification. Of course if a tenant were unable to pay his rates he would be disfranchised, as under the existing law. He must still have money enough to pay his rates, though he might deduct the sum devoted to that purpose from the rent due to the landlord. There was absolutely nothing new in this proposal, because to a great extent it was already the law in Scotland and Ireland. In both those countries a certain portion of the rate was put on the landlord, and therefore the principle that the landlord might fairly be made liable for the payment of rates was acknowledged. Upon what principle, then, were the rates collected? In Scotland the method adopted was as follows:—The 43rd section of the Act 8 & 9 *Vict.*, c. 83, passed in 1845, provided—

> "Where the One Half of any Assessment is imposed upon the Owners, and the other Half on the Tenants or Occupiers of Lands and Heritages, it shall be competent for the Collector of such Assessment to levy the whole thereof from the Tenants or Occupants, who shall be entitled to recover One Half thereof from the Owners, or to retain the same out of their Rents, on Production of a Receipt granted by the Collector of such Assessment."

In Ireland the same system prevailed. By sections 71 and 74 of the Act 1 & 2 *Vict.*, c. 56, it was enacted as follows:—

> "Every Rate made under the authority of this Act shall be paid to the Person authorized to collect the same by the Person in the actual Occupation of the rateable Property at the Time of the Rate made, and, on his Default, then by the Person subsequently in the Occupation of the rateable Property from whom such rate shall be demanded. Where the Person occupying such Property shall be liable to pay a Rent in respect of the same, he may deduct from such Rent for each Pound of the Rent which he shall be liable so to pay One Half of the Sum which he shall have paid as Rate in respect of each Pound of the net annual Value (whether such Rent shall be greater or less than such net annual Value), and so in proportion for any Sum less than a Pound."

The House would see, therefore, that the Government were by no means pursuing an unprecedented course in proposing that the landlord should be made liable in the ultimate resort for the rates on certain kinds of property. Quite irrespective of the passing of the Reform Act of 1867, the weekly tenants, the parishes, and the owners of property would be benefited by the proposed change, and would, in fact, be placed in a better position than they occupied prior to the passing of that Act. And here he ought to state that the Bill would not be confined to Parliamentary boroughs, as all weekly tenants ought to be entitled to the same privileges. The House would remember that composition had only been abolished in Parliamentary boroughs, and in them only in respect of certain rates, as he believed that the district rate and the highway rate, when not collected with the poor rate, might still be compounded for, while beyond the area of Parliamentary boroughs the old system of composition remained in full force. Now, the Government had anxiously considered the question, whether the method of deduction introduced by the Bill could co-exist with composition in those places where composition had not been yet abolished. It appeared to the Government that it could, because, as weekly tenants would be entitled to deduct the rates from the rent after they had been called upon to pay them, and as under the composition system they were not so called upon to pay them, that portion of the Bill would not apply to places where the compounding system obtained. It was true that the sections providing that a reduction should be made in the case of property let to weekly tenants in the gross estimated rental of such property would apply universally; but it would, of course, be competent for the local authorities, in places where compositions still existed, to lower the deductions, and to say that the only deduction allowable should be that in respect of empty houses, as the liability of the owners was already considered in the general deduction of 25 per cent. It might, perhaps, be said, however, that it would have been better for the Government to deal with the subject of composition generally; but opinions varied so much on the subject that it had been deemed advisable to limit the operations of the present measure to the case of weekly tenants. In an economical view, the Bill would even go beyond the composition system, for it was compulsory and extended to the whole of England; it removed the burden of bearing the rates entirely from the weekly tenants, and it established, once for all, the principle that the property of the landlord, when let out in this particular way, was to be entitled to a deduction in its rateable value. The Government were thoroughly convinced that the proposed arrangement was just to all the parties concerned. When hon. Members had read the Bill they would, he trusted, agree that the Government had done their best to remedy a grievance which, as every one acknowledged, ought to be removed. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. GOLDNEY said, he had endeavoured to follow the able explanations of the right hon. Gentleman, and, as far as he could perceive, the long speech which had been delivered amounted to this—that the landlords of property let to weekly tenants were ultimately to bear the burden of the rates. Now, if the object of the Bill was simply to relieve weekly tenants from the burden they now bore, why should so roundabout a machinery be devised for the purpose? Why not enact directly that landlords should pay all the rates imposed on property let out to weekly tenants? The only benefit which, in his opinion, could arise from the complicated provisions of the Bill under consideration was, the keeping the names of the tenants on the rate-books in order that the requirements of the Reform Act of 1867 might be complied with. But even if it were determined that the owner was to bear the burden, he might be assessed and the rates collected from him quarterly, while the names of the tenants might still be inserted in the rate-book. What possible necessity could there be for imposing on the overseers the burden of taking the rates from the tenants, if they were immediately afterwards to be entitled to be re-paid them by their landlords out of their rents? Instead of benefiting weekly tenants, it appeared to him that the Bill would impose an additional burden upon them by rendering necessary the payment of their rent as well as of their taxes, in order to get a qualification. The only possible benefit which could, so far as he could see, arise from the operation of the Bill was that it would provide for the overseer a property—namely, the goods of these small tenants, on which to levy the rate, if he chose to harass them by so doing. There was a good suggestion made before the Committee, which was that the owners who let their properties for a short period should be the parties rated. This seemed to be the practical effect of this measure; and if so, why should it be necessary to put such cumbrous machinery in motion to effect the purpose? He should reserve further criticism till he had seen the Bill; but he thought it went a roundabout way to accomplish the object it proposed.

MR. T. E. SMITH wished to ask the President of the Poor Law Board, whether it was his intention that all classes of weekly occupiers should be placed on the rate-book, irrespective of the nature of the tenements which they held? In the borough which he had the honour to represent (Tynemouth), there were 4,800 persons placed on the rate list, all of whom had paid their rates, and out of that number 2,200 had been struck off by the Revising Barrister, 1,500 of whom came within the scope of what was known as the Stamper Case, which had been decided in the Court of Common Pleas, and 700 more had been struck off because the Barrister thought they ought never to have been put upon the list. The question was investigated, whether the houses of many of those ratepayers had pantries and other conveniences, which, however desirable in other points of view, were hardly deemed to be necessary to the possession of a vote.

MR. J. LOWTHER said, he did not propose to enter into details on the subject at that stage of the measure, because the right hon. Gentleman (Mr. Goschen) said it was not the intention of the Government to open up the Reform question which had been settled, and he thought the right hon. Gentleman might be assured that there was no intention on his part of the House but to treat the question in a fair and impartial spirit, and candidly to examine the details. It was not his intention to import into the discussion the question of the compound-householder. He thought that the question was one which deserved earnest consideration, and he was sure that such would be accorded.

MR. BRIGHT: Sir, I have presented Petitions to-night from the borough of Birmingham, stating some facts bearing on this question that I should like in a sentence or two to state to the House. I do not pretend to say that the case of Birmingham requires more attention than that of other boroughs whose names I might give. For instance, my hon. Friend the Member for Walsall (Mr. C. Forster), who sits behind me, in all probability could state just as much with respect to the borough which he represents. But in the borough of Birmingham, before composition was abolished, there were 36,000 male householders, I believe, who had never in the course of their lives paid a rate. The system of compounding was so universal—in most cases it was not optional, but was enforced by law over the whole town—that every house of less value than £12, or even in some parts £15, was excused from rates so far as the occupier was concerned, the rate being paid by the owner. The distress which has prevailed since the change which has taken place has been something very great—something really to excite the sympathy of all those who have learnt the particulars. Summonses have been issued, I think, in regard to one rate for more than £15,000, and more than 5,000 distress warrants have been issued. Several thousands of persons have asked to be excused from rates, and the whole town of Birmingham has received this alteration of the law as a visitation, the severity of which has been aggravated by the belief that it was entirely needless. Now, the point of hardship to which my right hon. Friend the President of the Poor Law Board has specially referred, and to which he wishes to apply a remedy, is this—that the occupier of a house whose tenancy may last only for a week is or may be bound, and generally is bound, to pay rate for three months or for six months, and sometimes even for a longer period. That grievance, or rather that state of the law, existed in the case of Birmingham, but the evil was not felt by the people, because the system of composition afforded a complete shelter from that injustice, the tenant never being called upon to pay rates except as he paid his rent. He saw nothing of the tax-gatherer, and might leave his house in a week or a fortnight, but he never left having paid a rate for three or six months. When, therefore, the change was made two years ago the effect was to take away the whole of that shelter, and to bring upon the vast body of the householders of that town the evils, the sufferings, the obvious and notorious hardships and injustice described by my right hon. Friend on moving for leave to introduce his Bill. I think this is a matter which demands the special sympathy of the House. It is not a matter of any moment to hon. Members whether they pay a quarter's rate more or less; but to the great body of the working men of this country whose livelihood every week depends upon their weekly wages, the matter is one of very great importance. The average earnings of the working man are from 15*s*. to 20*s*., or 30*s*., perhaps 40*s*. a week. He occupies a house with three or four rooms, often with a large family. Imagine how, under the pressure of the Chancellor of the Exchequer, he has to lay out his small income in order to provide everything necessary for the support of that family! There is not a shilling which he earns which has not to be appropriated to some purpose in the course of the week with that object. There is hardly any surplus in vast numbers of these houses. There is no accumulated surplus in the bulk of them to meet the new demands which, in consequence of the action of Parliament two years ago, have been brought on these occupiers. And when, for the first time, the tax-gatherer came to them, having paid their weekly rents to this time, for a new charge, they could not understand why it was imposed on them. This, then, is a case which—apart from all questions of party, which influenced the House so much two years ago—demands the anxious consideration and sympathy of the House. The right hon. Gentleman, acting on behalf of the Government, has been anxious not to interfere with what has been done two years ago, and not to stir up strife on this question, which then excited so much interest. He has treated it as an economical question. He has not treated it as a question of representation, but merely as a question of valuation and payment of rate; and he wishes the House to adopt a principle which shall extend throughout the whole of the country, and which, I believe, will be even better than the system which was destroyed two years ago. The hon. Member for the city of York (Mr. J. Lowther) said, he thought it would be better to have no discussion now of this question. I am not sure that this is good advice, because I think it is very desirable that not only the Members of this House should have an opportunity for considering the Bill, but that every constituency throughout the kingdom should also have that opportunity; and I believe they will learn much from the expression of opinion on the part of Members of the House even in this first stage of the Bill. It is a question that is, at the first moment it is looked at, a little puzzling; but I must confess that the more I have considered and examined the Bill the more I think that no other proposal offers a satisfactory settlement of a question found to be embarrassing on the opposite side of the House so much as this does. I know that the right hon. Member for Buckinghamshire (Mr. Disraeli) and his Colleagues had no intention to inflict this hardship. We know that in many places the hardship is great, and is extensively felt. We know that the question of the franchise is fixed on a basis from which it cannot be now removed, and we are now prepared more than we were two years ago, or last year, to discuss the question without party heat; and I hope when the Bill comes on for second reading it will so recommend itself to both parties that it will experience, not only a fair, but a most favourable acceptance. I should be glad to have the question settled by this Bill, which grapples in a manner somewhat novel with a great difficulty; and I hope when it is discussed by gentlemen in the country who understand this matter thoroughly—I mean those who are connected with Boards of Guardians, and with the expenditure and collection of rates—they will be able to give to Members of the House such advice and such assistance as may enable us to bring this question to a speedy and satisfactory issue.

MR. CHARLES FORSTER said, as the representative of a borough which was greatly affected by the ratepaying clauses, he begged to tender his thanks to the Government for their early attention to the subject; but at the same time, he must reserve his opinion as to the adequacy of the proposed remedy till he had seen the Bill in print. He also expressed regret that it was not proposed to abolish the present objectionable rating clauses and to re-establish the system of compound rating. In his own borough (Walsall) 200 summonses for non-payment of rates had been taken out last week, and 1,500 more were expected. In the course of last year 1,600 persons were summoned for the same cause, and 2,400 were excused on the ground of poverty, thus extending the area of pauperism by the very machinery devised to alleviate it. He hoped that the Government would fix an early day for the second reading of the Bill, as the question excited the greatest interest throughout the country.

MR. LOCKE KING said, he did not understand that the Bill would meet the case where, under local Acts, houses of large rents were compounded for. In the county of Surrey there were many such compounders, and they being all off the rate book were, of course, deprived of the privilege of voting. He hoped that the right hon. Gentleman would endeavour to remedy this grievance.

MR. LOCKE said, he wished to bear testimony to the fact that some legislation on this subject was absolutely necessary. There was no borough in the country that had suffered more from the ratepaying clauses than Southwark. In the largest parish in Southwark—Bermondsey—there was actually a decrease of 211 in the number of voters on the register. Before the passing of the Reform Act the number of electors in that parish was 5,878, and since its passing it only amounted to 5,667, including lodgers. All the other parishes had increased, and the total increase of electors in the borough was 5,385, the whole number of electors being 17,703. It was inconvenient to discuss the Bill now introduced at its present stage, because it was difficult to understand it. The Government, no doubt, were actuated by the best intentions, and desired to provide a remedy for an evil, about the existence of which there could be no doubt, and he was satisfied that both sides of the House would render their assistance to secure the passing of a measure which would secure that result.

MR. A. JOHNSTON said, he thought that the Government had exercised a wise discretion in refusing this Session to re-open the question that was supposed to be settled in 1867; but he should be very sorry that it should go forth to the country that the Liberal party, or any great section of it, were satisfied with that settlement. A great number of them were pledged to endeavour to disconnect, as soon as they possibly could do so consistently with the progress of Public Business, the suffrage from the payment of rates. With all respect for the right hon. Member for Buckinghamshire, he must say that such connection was absurd, mischievous, and unconstitutional. The right hon. Gentleman the President of the Board of Trade spoke one word that he (Mr. Johnston) should be sorry to see go forth to the country without that little explanation which the right hon. Gentleman might not think right to give, but which he (Mr. Johnston) had no difficulty in giving for him. The right hon. Gentleman said that the question of the suffrage was settled upon a certain basis, and that it was impossible to move it from that basis; but he (Mr. Johnston) thought that the right hon. Gentleman merely meant that it would be impossible to move it higher up, not that it would be impossible to move it lower down, or to place it on some more satisfactory footing. He could not think that the right hon. Gentleman who had been in the very van of the Reform movement could pledge himself never to re-open the question, which those who sat on those Benches, could not regard as settled.

Motion *agreed to.*

Bill for amending the Law with respect to Rates assessed upon Occupiers for short terms, *ordered* to be brought in by Mr. GOSCHEN, Mr. Secretary BRUCE, and Mr. JOHN BRIGHT.

MARRIED WOMEN'S PROPERTY BILL.

LEAVE. FIRST READING.

MR. RUSSELL GURNEY, in moving for leave to introduce a Bill to amend the Law with respect to the Property of Married Women, said, it was similar to one that was introduced last Session, which was read a second time and then referred to a Select Committee. That Committee reported in favour of several portions of the Bill, but recommended further inquiry; an inquiry which, owing to the lateness of the Session, could not then be made. He trusted that the Bill would be now accepted, and that the debate might be taken on the second reading.

Motion *agreed to.*

Bill to amend the Law with respect to the Property of Married Women, *ordered* to be brought in by Mr. RUSSELL GURNEY, Mr. HEADLAM, and Mr. JACOB BRIGHT.

Bill *presented,* and read the first time. [Bill 20.]

MARRIAGE WITH DECEASED WIFE'S SISTER BILL.—LEAVE.

MR. THOMAS CHAMBERS, in moving for leave to bring in a Bill to legalize Marriage with a Deceased Wife's Sister, expressed his belief that the opening of a new Parliament was the right time for the introduction of a measure which had been frequently discussed in Parliament during the last twenty years, and which, on several occasions, had been adopted by that assembly by large majorities.

MR. CROSS said, he wished to give the hon. and learned Member for Marylebone Notice that he should feel it to be his duty to oppose the second reading of the Bill.

Motion *agreed to.*

Bill to legalise Marriage with a Deceased Wife's Sister, *ordered* to be brought in by Mr. THOMAS CHAMBERS and Mr. MORLEY.

House adjourned at a quarter after Six o'clock.

HOUSE OF LORDS,

Friday, 26th February, 1869.

MINUTES.]—SELECT COMMITTEE—On Private Bills, *appointed.*

PUBLIC BILLS — *First Reading*—Lord Napier's Annuity * (15); Governor General of India * (16); Fine Arts Copyright Consolidation and Amendment * (17); Habitual Criminals (18).

THE WAR IN NEW ZEALAND.

EARL GRANVILLE said, it might be interesting to their Lordships to hear a telegram which had just been received at the Colonial Office from the Governor of New Zealand. It was dated the 18th of January, and was to the following effect. He might add that a telegram had been received from Melbourne stating that the war in New Zealand was considered to be at an end; but he could not, of course, say how far this latter opinion was to be relied on:—

"Nagatapa, the main stronghold of the rebels who perpetrated the Poverty Bay massacre, was captured by the Colonial Forces under Colonel Whitmore, on the 5th of January. Our loss did not exceed twenty-two in killed and wounded, while that of the rebels in killed, wounded, and prisoners, amounted to about 200. This success has produced a salutary effect."

HABITUAL CRIMINALS BILL.

PRESENTED. FIRST READING.

THE EARL OF KIMBERLEY: My Lords, as the Bill which I shall conclude by presenting to the House involves some considerable changes in the Criminal Law, I have given a general Notice that I shall call attention to Measures for the further repression of Crime, thinking it would be most convenient to your Lordships that I should at the outset explain the principles on which the Government propose to legislate, and the general scope of the Bill. In order to make the subject clearer, I will first state very briefly the history of recent legislation. In 1853, as your Lordships doubtless remember, after a very full discussion with respect to transportation, it was resolved—partly on account of the evils of the system and partly on account of the strong remonstrances of our Australian colonies to which the convicts had been sent—that it should to a considerable extent cease. An Act was accordingly passed imposing for the first time the sentence of penal servitude as a substitute for transportation in the greater number of cases. From that time, therefore, a diminution occurred in the number of convicts transported, and in a very short time transportation was limited to Western Australia and the Bermudas. Gibraltar I leave out of consideration, as the convicts are there simply employed on public works. The numbers sent to Western Australia of late years did not average more than about 460 per annum. At last, in consequence of strong remonstrances being made by the other Australian colonies, it was found necessary that transportation should entirely cease, and it was accordingly announced by Mr. Cardwell in 1865 that, after the expiration of three years, transportation would be entirely discontinued. This has been consequently carried into effect. Now, on establishing the sentence of penal servitude, it was also arranged that convicts should obtain a remission according to their conduct while undergoing their sentence, and be released under what is now termed a license, but which was better known as a ticket of leave. Considerable alarm being excited in the public mind at the number of convicts thus scattered over the country holding these tickets, a Commission, presided over by my noble Friend Lord Grey, was appointed to examine the whole question of Penal Servitude, and report whether any changes were expedient; and in 1863 the Commission issued an extremely able Report, containing several important recommendations. As this Bill, in a great measure, carries into effect the principles there laid down, I may state the substance of those recommendations. The first was that sentences of penal servitude, which had been as short as three years, should not in future be passed for shorter terms than seven years. The second was, that the principle already recognized by the law of subjecting re-convicted criminals to severer punishment should be more fully acted on. The third was, that convicts sentenced to penal servitude should be subjected, in the first place, to nine months' separate imprisonment, and then to labour on public works for the remainder of the term for which they were sentenced, but with the power of earning by industry and good conduct an abridgment of this part of their punishment. The next recommendation was, that all male convicts who were not disqualified for removal to a colony should be sent to Western Australia during the latter part of their punishment. The fifth was, that those who might be unfit to be sent there, but might earn an abridgment of their punishment, and who might consequently be discharged at home under license, should be placed under strict supervision till the expiration of the terms for which they were sentenced, and that the necessary powers should be given by law for rendering this supervision effectual. In pursuance of that Report, in 1864 an Act was passed making considerable changes in our Criminal Law, the principal being the extension of sentences of penal servitude from three years to five years, or in case of a previous conviction to not less than seven years. The provisions under which police supervision has since been carried out and the conditions under which licenses should be earned by good conduct were also laid down. It is important that the House should know the present number of convicts under these sentences, and how far they seem to have been effectual. Now, when the Act of 1864 was under consideration, great doubts were expressed whether it was possible to carry out a satisfactory system by which the good conduct of convicts and their industry when employed on public works could be so measured that they should earn an abridgment of their sentences. In those doubts I myself shared; but I am bound to say that from all the information I have been able to gain the system has been to a great extent successful. Under the late Sir Joshua Jebb, who, although a very able public servant, certainly did not succeed so well in the later as in the earlier part of his career, there were great relaxations of discipline: but under the management of Colonel Henderson, who succeeded him, it has been found possible to exact from convicts the really hard and patient industry which is necessary before they can obtain a remission of their sentences. If this good conduct and industry were measured merely by the officers who superintended them there might be some suspicion of a too favourable view being taken; but the figures I shall quote leave no doubt that the work of the convicts is real work, which may fairly be considered satisfactory. I find that the value of the work performed by convicts at the three convict prisons, Portland, Portsmouth, and Chatham, was during last year £106,421, while the cost of maintaining those establishments was £110,532, so that the earnings of the convicts nearly equalled the whole expense to which the country was put. I may mention, also, that at Chatham, where there are great facilities for remunerative labour in making bricks for public works, there was an actual profit. In 1867—the last year for which Returns have been issued—the average daily number of convicts at Chatham was 990, and the value of their labour was £40,898 7*s.*, while the cost of their maintenance and supervision was £35,315 18*s.*, there being thus a surplus of £5,582 9*s.* Another change, which formed part of the Act of 1864, was the establishment of police supervision; and one of the principal objects of the present measure being to extend this, it is well that I should state the results of that supervision. A great evil which was apprehended from the close supervision of convicts, released on tickets of leave, was that the necessity of reporting themselves to the police and the constant surveillance of the police over them would prevent their obtaining an honest livelihood. So far, however, from that being the case, it has in many cases afforded great assistance in their earning an honest livelihood; nor am I surprised at it, for my opportunities of seeing the working of the system in Ireland convinced me that the supervision of the police might be carried out so as effectually to prevent the recurrence of crime, and at the same time be no hindrance, but a great assistance, to their obtaining employment. There is, however, no central registry or control, and no sufficient communication between the police authorities of different parts of the country; and it is obvious that, without a complete network of communication and a registry easily accessible to the authorities of all the different places where the convicts may be found, this supervision cannot be efficient. I am anxious, however, that the House should not suppose that in bringing forward this measure we are actuated by any feeling of panic or alarm. It would be a decided mistake to conclude that past legislation has been a complete failure, that crime has greatly increased, or that there is anything in our position more calculated to excite alarm in the public mind than at other times. I know the great danger of referring to statistics, for it is easy to pick out figures to prove some particular conclusion, and it may be aptly retorted that there are other figures leading to a different conclusion. While, however, aware of that danger, certain broad facts bearing on the question may be gathered. In 1865-6 the indictable offences known to the police numbered 50,549, and in 1866-7 they were 55,538, showing an increase of 4,989, or something under 10 per cent. That is not, perhaps, very satisfactory; but, looking back to a longer period, and taking—I am not able to find precisely analogous figures—the convictions, excluding summary ones, I find that from 1856 to 1862 the annual average was 13,859, while in 1867 the number was 14,207. I begin with 1856, because in the previous year the Criminal Jurisdiction Act was passed, which placed many classes of offences under the jurisdiction of the magistrates, and enabled a considerable number of crimes to be dealt with summarily. Now, although there is an apparent increase of crimes from 13,859 to 14,207, your Lordships must remember that in the interval the population increased by nearly 2,500,000, so that there is a decrease rather than an increase in proportion to the population. These facts show that crime has not in general largely increased. Then, again, the number of sentences to penal servitude was during the ten years ending 1857 2,374 a year, while in 1867 it had fallen to 1,772. Looking back, then, to see whether crime has increased or not, I think our system has been tolerably successful, and that on the whole there is no increase in the crime of this country. Why, if so, I may be asked, do we come forward to propose fresh legislation? There are two obvious reasons for this—one of a general nature, the other of a more special character. One reason is that we naturally obtain fresh experience from year to year as to the treatment of criminals—fresh opportunities of knowledge as to the best mode of dealing with criminals, fresh means of knowing how crime is committed, and how it may be prevented, and how to make punishment more effectual and deterrent; so that it is necessary from time to time to re-adjust our system and make it more complete. But there is at the present time a special reason for carefully scrutinizing and seeing whether we cannot improve our system, and that is the complete cessation of transportation; for though during the last few years we have not sent out to our colonies any very large number of convicts, it is obvious that for 500 convicts a year to remain in the country involves a considerable increase of the criminal population. Another reason for such an increase is that the operation of the Act of 1864, imposing longer sentences of penal servitude, is beginning to tell. I hold in my hand two interesting Returns, showing the present number of convicts under detention in England and Wales, and the probable number in future years. The convicts now under detention are 6,898 males, besides 552 at Gibraltar, making a total of 7,450, and 1,172 females. It is not likely there will be any increase in the number of female convicts, as the transportation of females has ceased for a long time. Confining the calculation, therefore, to males, the probable number on the 31st of March, 1869, will be 7,507; in 1870, 8,619; in 1871, 8,938; and in 1872, 9,146; the maximum estimated number in 1877 will be 10,666. The calculation, of course, assumes that the amount of crime will be constant. As to the convicts released on license or tickets of leave, the remission never exceeds one-fourth of the whole sentence, excluding the nine months passed in separate confinement, and the average length of remission is one year and seven months. The number of males now on license is 1,566, and of females, 441. In 1870 it will probably be 1,705, and about ten years hence it will probably be something under 3,000, if the proportion of crime remains the same. That, therefore, constitutes the number with which we shall have to deal at any one time. In dealing, however, with the criminal class, we must not confine our attention to those convicted of grievous offences and undergoing penal servitude. We must view the whole of what are usually called the criminal classes, and I regret to say that, large as may appear the number of convicts I have just stated, the number of the criminal classes is far larger. It is, in fact, a great army—an army making war on society, and it is necessary that society should for its own defence make war upon them. Here then are the numbers of the criminal classes taken from the latest Returns. The average of 1865-6, 1864-5, and 1863-4 show the following results:—Known thieves and depredators, 22,959; receivers of stolen goods, 3,095; prostitutes, 27,186; suspected persons, 29,468; vagrants and tramps, 32,938; making a total of 115,646. There was a decrease last year of 2·8 per cent on this average. In the metropolis alone there were in 1866-7 14,648 persons living by dishonest means, and 5,628 prostitutes; the numbers in 1865-6 being 14,491, and 5,554 prostitutes. Now, the question that presents itself is this—How are we to deal with this vast mass of criminals—with this great army of crime with which we have to contend? Various modes of repression have been suggested. Some think we ought to impose very stringent sentences—which to a certain extent was done by the Act of 1864, for it very properly made the minimum length of penal servitude five years, and in case of a previous conviction seven years. That was, no doubt, wise legislation, and the policy may justly, I think, be carried somewhat further. That Act, however, left untouched the discretion of the Judges to sentence criminals to imprisonment instead of penal servitude—the consequence being that a very considerable number of criminals do not come within the range of that system of discipline which has been judged best adapted to their reclamation. Some have gone so far—and I may mention among them the name of a gentleman well known to your Lordships, and whose pamphlet on the subject many of you may have read—Mr. Henry Taylor—as to suggest that all persons convicted of felony a second or third time—persons, in fact, who are habitual offenders—should be sentenced to imprisonment for life, and should actually be confined for life. I do not, however, think the public mind is prepared—at present at all events—for such a system. Independent of the great expense it would involve—to which it may be answered that the expense of their depredations is greater—I do not think the public are prepared for keeping such large numbers of persons permanently in confinement. Not only that, but I honestly think that neither the country nor the Government has yet mastered the problem how to deal with persons who are under sentence of imprisonment for life. I wish, moreover, here to state my opinion, though further legislation on this point is not necessary, that it is essential that men who have committed grievous crimes should expect their sentence to be fully carried out, and that persons who have been sentenced for grievous crime should never, except under very exceptional circumstances, have their sentences relaxed. When I was in Ireland the matter had been very strongly brought under my notice. In Ireland the transportation of criminals ceased fourteen or fifteen years ago, and consequently there is a larger accumulation of prisoners under life sentences than in this country; and my experience there showed me that there was this difficulty in imprisoning convicts for life—After a certain time they become unfitted by age or infirmity for public works, and there arises a great temptation to regard these men as having in some respect atoned for their serious crimes. Now, there are grave reasons why they should not be released. No doubt it often happened that a criminal who has committed a grievous but solitary crime may not be a thoroughly bad man, and so far as he is concerned he might, perhaps, be released without the fear of his committing a fresh injury on society. But then there is the deterrent effect which the certainty that the sentence would be fully carried out is calculated to have upon others. The practical question, then, arises—How are we to deal with such men? The mode, I think, has been indicated in the Report of a Committee or Commission; and it has always seemed to me the only one. Your Lordships are aware that there are a considerable number of men both in Ireland and in England who are undergoing sentences under the term of "criminal lunatics." Many of these men, though out of their senses at the time of the commission of their crimes, and therefore rightly spared from the punishment of death, have become, through lapse of time and change of treatment, perfectly sane. Now there is no difficulty in keeping those persons under sentence of perpetual imprisonment, and it seems to me that a similar system could be applied to men who, having had a life sentence imposed on them, are no longer, on account of infirmity or other reasons, fit to be employed on public works, and might properly be put under such restraint only as is necessary to seclude them from the public eye. That might be combined with a certain amount of remission—for it is always well to hold out hope, even to the most grievous offender. Without it you cannot enforce salutary discipline, and you ought to hold out a hope not of remission, but that, consequent on good behaviour, they would be removed from public works to those prisons where they would be confined under restraints and conditions less irksome. That, I admit, is not entirely germane to the Bill, but it is relevant to the main subject, and of such importance that I desired to mention it. Now, if we reject the notion of placing all these habitual criminals under life sentences, upon what can we fall back? It seems to me that the legislation of 1864 and the system established under it suggest the alternative. I think that we should extend the range of the legislation then adopted—that is to say, that we should extend it to other classes of the criminal population; and I think we are perfectly justified in shifting the burden of proof in certain cases from the accuser to the accused. Nobody honours more than I do the good old maxim of English Law that a man shall be presumed innocent until he shall have been proved to be guilty; but there can be no harm—on the contrary, it seems to me perfectly consistent with justice to the individual himself and to be demanded by justice to society—that men who by repeated crimes have shown that thay set the laws of society at defiance should be placed under a different code —that a special law should be made applicable to them—that, to a certain extent, they should be under a disability, and should have the burden of proving that they are earning a livelihood by honest means. A man who has committed several crimes, falling under the denomination of felony, may fairly be called upon to prove that he is living by honest means, and, if he cannot prove it, should be sentenced to imprisonment. He will have all the other guarantees of justice possessed by the innocent man—an open Court, a public hearing, and complete publicity, all of which are safeguards for a free and innocent man, not being oppressed or unjustly treated; but on the assumption that he has once been proved a criminal he will be put upon his proof that he is no longer so. These are the main principles which the Government propose to lay down, and I will now shortly explain the provisions of the Bill. The first part of it relates to men who are in the possession of tickets of leave. It is at present provided that such men, if brought before a magistrate, and if they fail to satisfy the magistrate that they are not earning an honest livelihood, they may be remitted to undergo their original term of imprisonment. Now, we propose that a man holding such a ticket may, at any time, be summoned by a police-constable before a magistrate and called upon to show that he is earning an honest livelihood, the burden of proof resting on him. If he cannot prove his honesty, he will be remitted to undergo his original sentence of penal servitude. Then, in order to make supervision more effectual, we propose a central registry of licenses, the Chief Commissioner of Police in the metropolis keeping a register of all licenses throughout the country. We propose, further, that officers shall be appointed by the Secretary of State to furnish all such particulars as may be required in order to establish a complete system of communication throughout the country, so as to form a complete network of supervision of criminals in every part of the country. This is obviously essential, for otherwise a man convicted in the metropolis may go to some part of the country where the authorities possess no information about him, so that there is no control over his conduct. It will also, no doubt, be convenient to carry out the plan of photographing convicts, which has been advocated by my noble Friend Lord Carnarvon, and which I believe has been partially carried out and has been found a very effective protection. In this part of the Bill the existing system in relation to criminals holding licenses is strengthened, but is not considerably changed. The next part of the Bill relates to that large class of criminals who are sentenced not to penal servitude but to imprisonment. We do not propose to take away the discretion the Judges now possess; but what is proposed is that whenever a man is a second time convicted of felony, if on his second conviction he does not receive sentence of penal servitude, it shall be part of his sentence that, for seven years, he shall remain under the supervision of the police over and above his term of imprisonment. We propose that a police-constable may at any time, during those seven years, without warrant, bring such a man before a magistrate, and call upon him to show that he is getting a livelihood honestly. We do not make the plan so severe as in the other case, but we propose that the magistrate shall satisfy himself that the convict is not obtaining an honest livelihood, and in that case shall have power to sentence him to imprisonment for any term not exceeding one year. We also propose that if a police-constable shall find such a person in any public place, such as is defined in the Vagrant Act, in such circumstances as to make it probable that he is about to commit or aid in committing a felony, he may likewise be brought before a magistrate, and, if the circumstances render his dishonest purpose probable, shall be imprisoned for not more than a year. We further propose that if any person under police supervision, shall be found in a private dwelling-house, or in those appurtenances of a private dwelling-house well known to the law, then also he may be brought before a magistrate and, on the case being proved, sentenced to a like imprisonment. He will be under this supervision for seven years beyond the term of his imprisonment, and will be subject to imprisonment in any of the cases I have mentioned. The next portion of the Act refers to a man convicted of felony for the third time—I think that when a man has been so convicted for the third time, he falls so entirely under the catagory of habitual offenders that it is but right to take away the Judge's discretion of imposing imprisonment, and to insist that in all cases such an offender shall be sentenced to not less than seven years' penal servitude. This, however, is subject to the proviso that one of the convictions shall have been within five years; for it would be hard on a man who may have been honest for a considerable period, but has at last relapsed, that his old crime should be brought back with such severity as to subject him to so severe a sentence without any option. This class of offenders, if sentenced to seven years' penal servitude, will be subject for the remainder of his life to the conditions imposed on the previous class. We do not propose to compel him to show that he is earning an honest livelihood, but we think it will be sufficient —he having been seven years under supervision—if he is placed in the position of a rogue and vagabond. If found at any time during his life in circumstances indicative of an intention to commit a felony, he will accordingly be subject to a year's imprisonment. Such men lead a continual life of crime, looking upon it as a profession, and on imprisonment as one of the chances of war which it is possible to avoid. It is necessary, therefore, to place them under permanent supervision. This completes the alterations we propose as regards criminals sentenced for felony. But there is a special class deserving of attention as much, or perhaps, more than others —the receivers of stolen goods. But for them the criminal would have no means of disposing of his plunder, and in proportion as we lessen the facility of doing that we shall diminish crime. At present it is necessary, in order to punish a receiver, to prove that he has received goods knowing them to be stolen; but we propose that where any man has been sentenced to imprisonment, if afterwards accused of being a receiver of stolen goods, the burden of proof shall be put upon him to show that he did not know the goods were stolen. We shall treat him as a suspected man, and we hope by that means to bring within the net of the law a great part of a class who are—I was almost about to say—more guilty than their miserable dupes and accomplices. There remains another and a very large class—vagrants, or, as they are more properly styled, rogues and vagabonds. This class has hitherto escaped being regarded in the eye of the law as criminal. We propose to strengthen the law in this respect. Though not, like convicted criminals, within the definition of suspected persons, they are at present under the Vagrant Act, and if found in a dwelling-house or public place, under circumstances indicating an intention of committing an unlawful act, they may be summarily sentenced to imprisonment. It is necessary, however, to prove some overt act. With this proviso we propose to dispense—so that if there is sufficient evidence to convince a magistrate that the vagrant was there with an unlawful purpose he will come under the provisions of the Vagrant Act. In some parts of the country where, perhaps, the magistrates have not been well acquainted with the subtleties of the law, rogues and vagabonds have been swept away by not paying attention to the condition of an overt act. That, however, is not at present legal, but, as it has been found effective, we propose that henceforth no overt act shall be necessary. There are other provisions of minor importance; one of them relates to pawnbrokers, who frequently give great facilities for the disposal of stolen goods, and to whom we propose to extend certain provisions of an Act passed a few years ago for Scotland, but with which I need not trouble your Lordships. One other change will, we think, be generally approved. All who have studied police reports must have remarked the frequency of brutal assaults on police-constables, and I think your Lordships will all be of opinion that the police, who are the guardians of the law, and who execute their duties, I must say, with a courage which does them the highest credit, should be well protected by the law. At present, in the metropolis—for what reason I am at a loss to conceive, for police constables are as much exposed to assaults there as elsewhere—the punishment for such assaults is only one month's imprisonment, while in the rest of the country it may amount to two. We propose that in all cases a magistrate may impose imprisonment not exceeding six months. I have now put before the House the general principles on which we propose to legislate, and have explained the main provisions of the Bill. We do not assert that on examination its details may not be found capable of improvement, but I believe it is based on sound principles—principles of justice and of due protection to society, and I have a confident expectation that, if passed into law, as I trust it will be, without material alteration, while it will not diminish in any degree the liberties of free and innocent men, it will materially strengthen that security for life and property which it must be the paramount object of every civilized Government to maintain.

Bill for the more effectual prevention of Crime, *presented*, by the Lord Privy Seal.

The Earl of SHAFTESBURY: Of the many valuable provisions of the Bill I think none will be more effective in the repression of crime than that which refers to the receivers of stolen goods. I am persuaded that if it be possible to reduce the number of these men by throwing greater difficulties in the way of their carrying on their trade, and by punishing more severely those who are detected, you will do more to repress crime than in any other way. Even at present the great difficulty of a burglar or housebreaker is in getting rid of large quantities of valuable property; for if he has stolen a quantity of plate he is afraid to take it to his own or a friend's house lest he should be detected. His great object, accordingly, is to have it converted as soon as possible into a different form; and the consequence is that crucibles and smelting-pots are going on all day and all night in this great city. I believe that in a very large number of cases the whole of the plate is reduced within two or three hours of the robbery, or even less, to ingots of silver. As for spoons, forks, and jewellery, they are not taken so readily to the smelting-pot; but to well-known places, where there is a pipe, similar to that which your Lordships may have seen—I hope none may have seen it of necessity—in a pawnbroker's shop. I have had a description of the process from practitioners. The thief taps, the pipe is lifted up, and in the course of a minute a hand comes out covered with a glove, takes up the jewellery, and gives out the money for it. But, my Lords, I am sorry to say that the reception of stolen goods is carried on not by a low class only. I regret to say that there are tradesmen of high standing in this town who follow the practice. Your Lordships may have read in the newspapers recently a case of the robbery of a very valuable necklace. It appeared on the hearing of the case that the necklace in question, which was one with stones and very rich setting, had been carried to a jeweller, who instantly broke it up. On being asked for an explanation, he said, "We make it a rule never to ask questions, and for our convenience we break up such articles as soon as possible." I have no doubt that persons who are in the habit of buying such articles without asking questions do find it for their convenience to break them up as soon as possible. Once the stones are taken out of articles of jewellery and the setting is broken up, almost every possibility of detection is at an end. This being so, I would not, in the case of the receivers of stolen property, stand on the minutiæ of strict evidence. I would put the onus of proof on persons well known to the police as receivers of stolen property to show that property found in their possession had been obtained by them rightly and honestly. I am inclined to think that, by such provisions as have been indicated by my noble Friend, a very great and very beneficial effect will be produced. I would just ask my noble Friend whether it is intended that persons, placed under supervision for seven years, shall be at liberty during that time to change their residence or quit the district in which they have been living. I think, my Lords, that when all the facts are before us we shall be able to come to a more consolatory conclusion than has been come to by my noble Friend. Though undoubtedly there are many thousands of persons living by surreptitious means—by robberies and larcenies—I am convinced that a very great number of those criminals are open to efforts for their reformation, and that the professional thieves and burglars—the criminals who take up robbery and burglary as a profession—are not a twentieth of the number alluded to by my noble Friend. I repeat, my Lords, that I think such amendments in the law as the noble Earl has indicated will do very great good, especially in the case of the receivers of stolen property.

Lord HOUGHTON: My Lords, I think it would be very desirable that, when we come to discuss this Bill in a future stage, we should have more exact details of the working of the Act of 1864 than those which have been stated by my noble Friend the Lord Privy Seal. I opposed the passing of that Act, and I am now of opinion that it would be very important for your Lordships to have something more than the assurance of my noble Friend that it has worked well. I should like that before your Lordships come to the same conclusion on the point as my noble Friend, we should be satisfied that the Act of 1864 has not had the effect of preventing ticket of leave men from obtaining employment, and from their being absorbed in the general population.

EARL GREY: My Lords, the suggestion of my noble Friend (Lord Houghton) deserves consideration. I hope that during the progress of this measure we shall have the fullest information possible as to the working of the existing law; and I venture to suggest that, in order to make that information clear and satisfactory, the proper course would be to refer this Bill to a Select Committee. On this subject of the Criminal Law we have already had more than one inquiry in this and the other House of Parliament, and I think great benefits have resulted from those inquiries. I think, therefore, that when so large an alteration as this is proposed, and considering the early period of the Session, it is highly desirable that the measure just sketched out should be brought carefully under the consideration of a Select Committee. I am certain that course would not throw any difficulty in the way of legislation, but would make our legislation more satisfactory to ourselves and to the public, and I hope, also, more complete. Having made that remark, I may observe further that, from the sketch of the proposed measure given us by my noble Friend, it appears to me that the Bill proceeds on right principles, and will do something to retrieve the error committed by Parliament in 1864, when professing to act on the Report of the Committee of the previous year. The only sentence in the speech of my noble Friend which I heard with regret was that in which I understood him to say that Sir Joshua Jebb—who, I believe, was one of the ablest and best public servants of his time — in the later period of his official life had not succeeded in maintaining the discipline of the Convict establishment as efficiently as it ought to have been conducted. I think it is only due to Sir Joshua Jebb to say that, having paid great attention to the evidence brought before the Penal Servitude Commission in 1863, I believe that any failure there was in maintaining the discipline of the Convict establishment and making the punishment as formidable to offenders as it ought to be was not owing to any fault of Sir Joshua, but principally to the fault of Parliament itself. A sentimental feeling in favour of prisoners had prevailed in the public mind for some time before, and Parliament and the Government, acting under the pressure of that sickly feeling, had unduly restricted the length of sentences passed upon criminals and had established regulations which did not enable Sir Joshua Jebb to carry out the system of punishment with that strictness and determination which, if he had had the power, I believe he would have been only too glad to employ. I am firmly persuaded that in dealing with the criminal classes real mercy to them, as well as justice to society, requires that there should be no shrinking from a course of stern determination.

THE MARQUESS OF SALISBURY: My Lords, I am not on this occasion going to make any observations on the Bill which the noble Earl (the Lord Privy Seal) is about to lay upon the table, and which is not yet before us. As far as I can judge from his statement, the Bill seems to be a salutary one, and one which will recommend itself to those who hold salutary ideas on this subject. I want to say a word on the proposition of my noble Friend who has just sat down, that the Bill be referred to a Select Committee. It may, perhaps, become advisable to refer the merely mechanical details of the measure to a Select Committee; but I earnestly hope the principles of the Bill will be examined and settled by a Committee of the Whole House, and not delegated to a Select Committee. I think it would be damaging to the character of the House to withdraw from the responsibility of publicity the opinions of those who influence the decisions of the House on questions of such magnitude. I submit that, if the Bill is sent upstairs, the duty of the Select Committee should be carefully confined to the details, and that the wider matter of principle should be decided upon by the wider discretion of the House itself.

LORD CAIRNS: My Lords, like my noble Friend who has just sat down, I rise, not to make any observations as to the details of the Bill, but to say a word as to the further progress of the measure. A proposition has been made that the Bill should be referred to a Select

Committee, and that the Select Committee should inquire into the working of the Act of 1864—a process which, if the inquiry is to be a careful one, would involve the taking of evidence. Now, the Bill of the Government is one founded on certain distinct principles, and I apprehend it will be your Lordships' duty, on the second reading, to consider and decide whether those principles can be safely adopted in the legislation of this country. From what we have heard from the noble Earl I think there is something very wholesome in the principles laid down in the Bill; but I apprehend that on the second reading it will be for your Lordships to pronounce an opinion as to whether those principles are worthy your acceptance or not. If your Lordships should pass the second reading and then delegate the subject to a Select Committee to take evidence as to the principle on which you should legislate, that would be tantamount to shelving the Bill for this Session. I hope that when the Bill is before us your Lordships may find it is one the principle of which ought to meet with the approbation of your Lordships' House. If it should, it may be useful to have the Bill go to a Select Committee, not that the Select Committee may take evidence, but that they may consider the details and the working of the Bill; though, even with respect to such points, I think the subject of our criminal law is so interesting that the details of a Bill like this might well be settled in a Committee of the Whole House. At all events, I must express my hope that the Government will not refer this Bill to a Select Committee for the purpose of having evidence taken.

THE EARL OF HARROWBY said, he thought the Bill might be advantageously referred to a Select Committee, whose labours he thought would greatly assist the House in their subsequent legislation.

THE EARL OF LICHFIELD asked the noble Earl who introduced the Bill, whether he could give him any information as to the number of persons likely to come under the supervision of the police, after a second conviction, under the provisions of the Bill? He held a strong opinion that police supervision, as at present exercised, was utterly inefficient. He gathered from the noble Earl's statement that no discretion was to be left to the Judges or to the committing magistrates as to whether they would give a seven years' sentence of police supervision or not, as such a sentence was to follow as a matter of course upon a second conviction.

THE EARL OF KIMBERLEY said, he could not give an answer to the noble Earl's question at the present moment, but he would take care to put himself in a position to answer it on a future day. He might point out, however, that the provisions of the Bill did not relate solely to police supervision, but also rendered criminals, after a second conviction, subject to certain specified regulations, by which persons other than the police would be enabled to bring them before a magistrate for examination. He was greatly obliged to the House for the attention with which they had listened to his explanation of the provisions of the Bill, and he must express his entire concurrence with the view of the noble and learned Lord opposite (Lord Cairns), that the proper time for the consideration of the principles of the Bill was upon the second reading. He also agreed with the noble Marquess opposite (the Marquess of Salisbury) in deprecating the practice of the House, which obtained too much, of sending Bills of importance before a Select Committee upstairs. The result of such a course—as he had been often told—was that the proceedings of their Lordships, however just and right they might be, failed to obtain that credit to which they were entitled, or to attract adequate public attention. After what had passed that evening, he thought it would be better to postpone further discussion upon the Bill until the second reading, when their Lordships would have had an opportunity of examining the provisions of the Bill for themselves, and when the Government would be in a position to determine what course it would be proper for them to adopt with regard to the measure.

Bill read 1ª; to be *printed;* and to be read 2ª on *Friday* next. (No. 18.)

LORD NAPIER'S ANNUITY BILL [H.L.]

A Bill to enable Lord Napier of Magdala to receive the full benefit of the salary of Member of Council for the Presidency of Bombay, notwithstanding his being in receipt of an annuity granted to him under the Act 31st and 32d Vict. cap. 31—Was *presented* by The Duke of ARGYLL; read 1ª. (No. 15.)

GOVERNOR GENERAL OF INDIA BILL [H.L.]

A Bill to define the powers of the Governor General of India in Council at meetings for making laws and regulations, and to make better provision for making laws and regulations for certain parts of India; and for certain other purposes—Was *presented* by The Duke of ARGYLL; read 1ª. (No. 16.)

FINE ARTS COPYRIGHT CONSOLIDATION AND AMENDMENT BILL [H.L.]

A Bill for consolidating and amending the Law of Copyright in works of Fine Art—Was *presented* by The Lord WESTBURY; read 1ª. (No. 17.)

PRIVATE BILLS.

Standing Order Committee on, *appointed:* The Lords following, together with the Chairman of Committees, were named of the Committee:—Ld. President, Ld. Privy Seal, D. Somerset, M. Winchester, M. Bath, M. Ailesbury, E. Devon, E. Airlie, E. Hardwicke, E. Carnarvon, E. Romney, E. Chichester, E. Powis, E. Verulam, E. Saint Germans, E. Morley, E. Stradbroke, E. Amherst, Ld. Chamberlain, V. Eversley, Ld. Steward, L. Camoys, L. Saye and Sele, L. Colville of Culross, L. Sondes, L. Foley, L. Dinevor, L. Sheffield, L. Colchester, L. Silchester, L. De Tabley, L. Wynford, L. Portman, L. Stanley of Alderley, L. Belper, L. Ebury, L. Churston, L. Egerton, L. Hylton, and L. Penrhyn.

PRIVATE BILLS.

All petitions relating to Standing Orders which shall be presented during the present Session *referred* to the Standing Order Committee, unless otherwise ordered.

OPPOSED PRIVATE BILLS.

The Lords following; viz., M. Bath, Ld. Steward, L. Colville of Culross, and L. Stanley of Alderley, were *appointed*, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

House adjourned at half past Six
o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, 26th February, 1869.

MINUTES.] — SELECT COMMITTEE — Standing Orders, Mr. Hastings Russell *added.*

SUPPLY—*considered in Committee*—SUPPLEMENTARY ESTIMATES.

PUBLIC BILLS—*Resolution in Committee* — Beerhouses, &c.

Ordered — Stannaries; Beerhouses, &c.; Sea Birds Preservation; Law of Evidence; Court of Common Pleas (County Palatine of Lancaster)*.

First Reading — Assessed Rates* [21]; Beerhouses, &c. [22]; Marriage with a Deceased Wife's Sister* [23]; Stannaries [24]; Law of Evidence [25]; Court of Common Pleas (County Palatine of Lancaster)* [26].

IMPORTATION OF FOREIGN SHEEP.

QUESTION.

MR. CARNEGIE asked, Whether it was true, as stated in one or two of the public journals of the preceding day, that some sheep recently imported from Antwerp had been found suffering from sheep-pox?

MR. W. E. FORSTER, in reply, said, he had caused inquiries to be made on the subject, and it would be satisfactory for hon. Members to know that the fact was as follows:—On Wednesday, a cargo of sheep had been landed at the Victoria Dock from Antwerp, which had been marked by the inspector for a second examination; but, upon giving that full examination, they had been passed as entirely free from disease.

ARMY—THE NEW ZEALAND WAR MEDAL.—QUESTION.

VISCOUNT ENFIELD said, he would beg to ask the Secretary of State for War, When the Medal promised by the late Secretary of State for War on the 6th of last July to the Naval and Military Forces engaged in the late Campaigns in New Zealand is likely to be issued?

MR. CARDWELL, in reply, said, that the medal promised to the forces engaged in the late campaigns in New Zealand would be ready shortly, and the Estimates presented on the preceding day included a sum for them.

SPECIAL AND COMMON JURIES.

QUESTION.

VISCOUNT ENFIELD said, he would beg to ask Mr. Attorney General, Whether the Government intend, during the present Session, to introduce any measure founded upon the Report and Recommendations of the Select Committee on Special and Common Juries made in the last Session of Parliament?

THE ATTORNEY GENERAL, in reply, said, it was the intention of the Government to introduce a Bill, which he hoped shortly to lay before the House, embodying several of the recommendations of the Select Committee of last Session.

IRELAND—LAW OF LANDLORD AND TENANT.—QUESTIONS.

MR. DOWNING said, he would beg to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Ministry to introduce a Bill for the amendment of the Law of Landlord and Tenant in Ireland during the present Session of Parliament; and, if not, what are the intentions of the Ministry with regard to legislation on the subject?

MR. CHICHESTER FORTESCUE, in reply, said, on this subject he must refer the hon. Member to what was said by his right hon. Friend the First Lord of the Treasury on the first night of the Session, when he volunteered the statement before a Question had been asked, that nothing but physical impossibility, or in other words, want of time in the present Session, had deterred the Government from dealing with this great question; and it was that, and that alone, which prevented them taking any action upon it.

MR. BLAKE said, he would beg to ask the right hon. Gentleman the First Lord of the Treasury, Whether Irish Members were to understand, from the Answer just given by the Chief Secretary for Ireland, that Her Majesty's Government would not introduce a measure during the present Session to amend the law relating to the tenure and improvement of land in Ireland; and, in the event of Government being only prevented from attempting to legislate on the question owing to its being physically impossible, as stated by the Chief Secretary, whether a statement would be made as to the principles on which the Government would propose to legislate on the question hereafter?

MR. GLADSTONE: The hon. Gentleman has asked me two Questions—first, whether Her Majesty's Government have abandoned all hope or intention of bringing in a Bill on the subject of the relations between landlord and tenant in Ireland during the present Session; and next, whether, if they do not, they will make some declaration of principle on which they would proceed to legislate. In answer to the first of these Questions, I should say, following up what has been stated by my right hon. Friend the Chief Secretary for Ireland, that we do not see the smallest possibility of there being any such state of circumstances in the present Session as would enable us to introduce a Bill on this important subject with the due consideration which its real importance demands. With regard to the second Question, I think it would not be expected that Her Majesty's Government should endeavour to state their policy—and it would be extremely difficult to make intelligible any such statement, unless it was accompanied by all those details and particulars which could only be presented in the former case.

SLAVE TRADE—BRAZILIAN VESSELS. QUESTION.

MR. HENRY SAMUELSON said, he would beg to ask the First Lord of the Treasury, Whether the circumstances which led to the passing of the Act 8 & 9 *Vict.* c. 122, for the suppression of the African Slave Trade in Brazilian vessels, have not ceased to exist; and whether it is the intention of Government to take measures for the repeal of the said Act, with a view to rendering more intimate our relations with the Brazilian Empire?

MR. GLADSTONE said, in reply, that it was the intention of the Government to take measures for the repeal of the Act in question, commonly known as the "Aberdeen Act;" and he believed that his noble Friend (the Earl of Clarendon) had on the preceding evening introduced a Bill into the House of Lords for that purpose.

ARMY—MILITARY APPOINTMENTS. QUESTION.

SIR PATRICK O'BRIEN said, he would beg to ask the Secretary of State for War, Whether, from the "Letter of Service" appointing His Royal Highness the Field Marshal Commanding in Chief, such appointment appears to have been made for life or for a lesser period; whether the Secretary of State for War may recommend to Her Majesty persons for Commissions, either directly or by purchase; whether it is consistent with military discipline and the regulations of the Service to appeal from a decision of the Field Marshal Commanding in Chief, or of the Military Secretary, to the Secretary of State for War; whether all high military appointments are first submitted to the Secretary of State for War for his approval; and, further to ask, whether, regarding both efficiency and economy, it is the intention of the Government to inquire into the expediency of concentrating the duties of the War Office and Horse Guards in one Office, under the exclusive control of a Minister responsible to Parliament?

Mr. CARDWELL: The "Letter of Service" appointing His Royal Highness the Field-Marshal-Commanding-in-Chief conveys the appointment, not for any specified time, but during Her Majesty's pleasure. The Secretary of State does not recommend to Her Majesty persons for commissions, either directly or by purchase. Commissions in the Artillery and Engineers are given entirely by open competition; the commissions without purchase in the Line are given either by open competition at Sandhurst or by selection to deserving non-commissioned officers; and commissions by purchase are given by qualifying examination. Perhaps I may be permitted to add that in my opinion it would be very unfortunate if patronage connected with the Army were transferred from the General-Commanding-in-Chief to a political Officer. It is not consistent with military discipline and the regulations of the Office to appeal from a decision of the Field-Marshal-Commanding-in-Chief to the Secretary of State for War, and that is perfectly consistent with the fact that reference is constantly made to the Secretary of State in cases of special importance and difficulty; and further, that, if at any time the discipline of the Army were to fall into an unsatisfactory state, the Secretary of State for War would not be exonerated from responsibility if he omitted to take measures to prevent the continuance of that state of things. There are not, so far as I know, any decisions of the Military Secretary; his duty is to convey the decisions of His Royal Highness the Field-Marshal Commanding-in-Chief. All high military appointments are first submitted to the Secretary of State for War for his approval. There is no need for an inquiry whether it is expedient to concentrate the duties of the War Office and Horse Guards in one office, because Her Majesty's Government, and I believe the House, are perfectly satisfied, without inquiry, that it would be very expedient to concentrate them in one office, and that expediency is wholly irrespective of any changes in the functions properly belonging to the two Offices.

THE PATENT LAWS.—QUESTION.

Mr. JAMES HOWARD said, he would beg to ask Mr. Attorney General, Whether it be the intention of the Government to introduce during the present Session any measure for the amendment of the Patent Laws; and, if so, whether it is the intention of the Government to embody in the Bill the "Recommendations" of the Royal Commission (dated July 29, 1864) appointed to into the working of the Law relating to Letters Patent for Inventions?

The ATTORNEY GENERAL said, there were so many important questions to be dealt with that he was not able to hold out any confident expectation that the Government would be able to deal with the question of the Patent Laws this Session.

EXEMPTIONS FROM POOR RATES.

QUESTION.

Mr. WHEELHOUSE said, he would beg to ask the President of the Poor Law Board, Whether it be the intention of Her Majesty's Government to take any step, during the present Session, fully to exempt Public Hospitals, Infirmaries, Dispensaries for the Sick, and endowed Almshouses from liability to rating to the Relief of the Poor?

Mr. GOSCHEN replied that that was a very large Question—a much larger one, indeed, than it appeared to be as put by the hon. Member. It would be very difficult to confine any such exemptions to public hospitals, infirmaries, dispensaries for the sick, and endowed almshouses. The Sunday schools, for instance, had been omitted from the list; and again, there was the question of endowed schools. If they were to exempt endowed almshouses the question would arise whether endowed schools should not be admitted to a similar privilege. Then they came to the public buildings, municipal buildings, and county buildings. The question was, in fact, an exceedingly large and complicated one and it was not the intention of Her Majesty's Government to take any steps in the matter this Session.

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF IRELAND.

OBSERVATIONS.

MR. RAIKES, in rising to call attention to the present system of Irish Representation and to put Questions to Her Majesty's Government thereon, said, he was conscious that the House must feel as fully as he did the desirability of such a question as this being taken up by abler and more experienced hands than his, but as no Member better qualified seemed disposed to deal with it he hoped the House would not refuse him the kind indulgence which it usually accorded to those who addressed it for the first time. In the first place, it would be necessary for him to review some of the principal incidents of the Reform legislation of the last few years, but he hoped to do so without any superfluous reference to those controversies which took place at the time. It would be in the recollection of the House that in the course of last Session the Government introduced Reform Bills for Ireland and Scotland; and that, whilst that for Scotland had the good fortune to emerge from the Legislature a complete and perfect measure, such a fate did not befall that for Ireland, for at a very early period of its career those most important clauses which had reference to the re-distribution of seats were withdrawn, and only those relating to the franchise became law, the Government believing that it would be impossible for them to carry at that time any measure on which any serious difference of opinion existed. He would ask the House to go back a little earlier in the history of Reform. In 1866, a measure was introduced by the Government of Lord Russell, which contemplated treating the question of Reform in two separate parts, and a Franchise Bill was introduced without having any reference to the re-distribution of seats, but that course did not obtain general approval; and his noble Friend the Member for Chester (Earl Grosvenor) proposed an Amendment by which he sought to obtain from the House a declaration that it was desirable that the question of the franchise and that of the re-distribution of seats should go together. Her Majesty's Government, after some resistance, assented to that principle, and brought in a measure for the re-distribution of seats for England and Wales, even though they were compelled to do so without that mature deliberation and careful inquiry which they might have wished to bestow on the subject. Since then it had been generally recognized by both sides of the House that the question of Reform ought to be treated as a whole, and that the franchise and re-distribution of seats should be dealt with in one measure. That policy had been pursued with regard to England and Scotland, but not with regard to Ireland. One of the principal objections offered to such a course as that of separating the two measures from each other was the possibility that a dissolution might possibly intervene between the passing of the Franchise Bill and the introduction of a measure for the re-distribution of seats. Now that was precisely what had occurred with regard to Ireland—and at what a crisis in her history. That Her Majesty should be advised to dissolve Parliament and appeal to a constituency but half reformed, a mere apology for an electoral body, and rather the ghost of the old constituency than the germ of the new, had been hitherto regarded as little short of a mockery of representative institutions. Yet that was precisely what had occurred in dealing with Ireland; nor did the anomalous state of her representation end there. By the Acts of 1866-7 England had one representative for every 41,000 of population, Wales had one for every 38,000, and Scotland one for every 52,000, or thereabouts. Ireland had one for every 56,000, and although that state of things might be viewed with calmness by those who always expected Ireland to occupy an inferior position, he doubted whether the House would be content to allow her to be worse treated in this matter than the sister kingdoms. The anomaly was even more striking if the representation of the counties alone was compared. The English counties had one Member to every 58,000 of population, the Welsh one to every 49,000, the Scotch one to every 56,000, but Ireland one only to every 78,194. Considering so much had been said about Reform, he was somewhat surprised that not even professed grievance-mongers had discovered and published this very gross electoral anomaly. He would put it in another way. The 5,000,000 of Ireland had, through their counties, sixty-four Members in Parliament; if those 5,000,000 had the good fortune to be situated between the Thames and the Tweed they would have eighty-six Members; if their lot had fallen in the still more fortunate country north of the Tweed they would have ninety, and if they had occupied that political paradise, the district lying between the Severn and Cardigan Bay they would have 102—only one less than the Members returned by all the boroughs and counties of Ireland. Again, if the representation of the English and Scotch counties had been framed on the estimate for Ireland, the House would number some fifty or sixty less than at present. It was resolved in the course of the Reform discussion to increase the representation of English counties exceeding 300,000 in population from four Members to six. Exclusive of the two large counties of Lancashire and Yorkshire, no less than ten English counties obtained this measure of justice, and there were fifteen counties in England containing a population between 150,000 and 300,000, which returned at the present time no less than four Members. Now, the population of the great county of Cork was, exclusive of boroughs, 419,000, and yet that great county returned only two Members to the British Parliament. The counties of Antrim, Down, Mayo, Galway, Donegal, Tyrone, and Tipperary, each of them containing between 200,000 and 300,000 inhabitants, and each of which, if situated on this side of St. George's Channel, would return four Members, only returned two. There were at least a dozen more—he would not weary the House with their names—which, if situated in England, would be placed on the same footing as Buckinghamshire, Oxfordshire, Berkshire, and Hertfordshire. He confessed, in days when they heard so much about the great things they were going to do for Ireland, it appeared singular that no one should have taken up this question. If the mantle of O'Connell, who had always been alive to national rather than to party grievances, had descended on any Irish Member, this subject would have been brought forward before, and they would have obtained a far more just and satisfactory measure for Ireland than they had done. It might be supposed that he had taken up something of a forlorn hope in pressing this subject on a Ministry who had shown themselves so indifferent as not to think it worthy of a place in the Speech from the Throne. But there were two circumstances on which he built his hopes. The first was that there was among Her Majesty's present advisers one who had promised to drag his Colleagues to the bar of public opinion whenever he found them wanting in their duty to the public. Well, he would call upon that right hon. Gentleman now to perform that patriotic though somewhat painful operation in a case which must move his sympathies so strongly. In common with those who had watched that right hon. Gentleman's career he knew his implacable animosity to little boroughs, and his sympathies with large populations that were not fairly represented. He did not see why the Irish counties should not have the same sympathy from the right hon. Gentleman, and he trusted that the right hon. Gentleman might yet find an opportunity for one of those confidential communications — which some said were more frequently tendered than accepted — recommending this act of justice to the Irish people. The other ground on which he relied was that this Parliament had been specially elected and the Ministry had come into power on the simple, broad, and equitable platform of justice to Ireland. This was no sentimental grievance. In a very few days they would be all engaged in a wild-goose chase, they would be pursuing every *ignis fatuus* that a disordered fancy could conjure up. Before setting out on that Quixotic enterprize he hoped they would receive a promise that a real grievance such as that he had set forth would receive due attention from Her Majesty's Government. They were told that the Irish people were dissatisfied, and that they distrusted the good intentions of the British Parliament. Why should they not distrust a Parliament in which they had only a mockery of representation? He was not at present going to ask the Chief Secretary for Ireland or the House to entertain a question that might lead to a distribution of seats throughout England and Scotland as well as Ireland. The remedy was close at hand. He had said that the electoral unit in the Irish counties was 78,000, in the Irish boroughs 21,000, and taking this basis of population as their guide they found that the

Irish boroughs were as much favoured as the counties were injured. The boroughs in Ireland might be fairly divided into three classes. First, there were four great cities—Dublin, Belfast, Cork, and Limerick—which counted for a population of 500,000 out of 800,000 who inhabited Parliamentary boroughs. Next to them in importance was another set of boroughs, the most populous of which was Waterford, and the least populous Lisburn, and which contained about 224,000 inhabitants. They returned eighteen Members. Below that limit were thirteen boroughs, containing about 72,000 inhabitants, and returning thirteen Members, their average population being 5,529, while, as he had said, the average population to each Member in the great counties was 78,194. Was a state of things of that kind to be allowed to continue? They had now got in the House a Ministry which could command a great majority, and who could employ their majority to do that which a weak Ministry could not attempt. He would ask them to sweep from the face of the earth these thirteen little boroughs, and to give their Members to the great populous counties which he had named, and even when they had done that they would find that, in the counties, the average population represented by one Member would be 64,000, while in the boroughs it would be 25,000 or 26,000; so that the boroughs of Ireland would be nearly three times as well represented as the counties, instead of four times, as they were now. From the thirteen seats thus obtained they might give two to Cork county — he did not see why it should not return six Members — two additional to Antrim and Down, and one additional Member to each of the counties he had before enumerated. Suppose such a course was taken he should be probably told it would do no good. There were two bugbears to Members of that House. Hon. Gentlemen opposite would say there was no use in giving more Members to Irish counties because they would in that case give more power to the landlord. Thus, the Irish landlord was the bugbear of hon. Members opposite. On the other hand, hon. Gentlemen on that (the Opposition) side would be inclined to say —"You are giving too much power to the priests." Thus, the priest was a bugbear to hon. Members on that side. But when they were doing an act of simple justice they ought not to look to results. If they owed a man £50, they should not inquire before paying it how he meant to spend it. If they adopted the plan which he had recommended, they might find an opportunity of giving a representative to the minority in each county, and thus diminish the bitterness to which election contests in Ireland gave rise. They would tranquillize the enmities, and at the same time recognize the just aspirations of the Irish people to have a fit representation. He would say, in conclusion, that they were invited at the present time to pay particular attention to the mote which might be observed in the eye of the Bishops and clergy of Ireland. Where, he would ask, was the beam which had obscured the vision of our English Reformers? Their conscience was so tender that they strained at the gnat of the Church Establishment in Ireland, and yet they expected the Irish people to swallow such a camel as to be represented in that House by persons—excellent and worthy persons no doubt—but sent to Parliament by constituencies unworthy of the name of towns. He wished to ask the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to introduce, during the present Session, a measure for the Redistribution of Seats in Ireland, and, if so, when; and further, whether it is not, in the opinion of Her Majesty's Government, somewhat premature to enter upon legislation materially affecting the welfare of Ireland before such a measure has been considered?

MR. M'MAHON said, that what the hon. Gentleman wished was to have the Irish people represented through counties; but as the representative of one of the small boroughs which the hon. Gentleman wished to abolish (New Ross), he must deny that the proposal would afford any satisfaction. What the Irish people themselves complained of was that the counties had a far larger representation than the counties in England, and very much larger than the boroughs. What the Irish people wanted was to be put in the same position as the people of England—that the counties should not have a larger proportion, and that the boroughs should have the same proportion of representatives as the boroughs of England. That Irish matters were brought before the House so often was all owing to the undue predominance of the landlord interest in Ireland. There were 105 Members returned from Ireland; two by the University of Dublin, sixty-four by the counties, and thirty-nine by the boroughs. Substantially there were sixty-six county Members to thirty-nine borough Members in Ireland. But in England, how stood the proportion? Up to the passing of the last Reform Act there were about three borough Members to one county Member. It was true some alteration was made by the late Act. In England, under the present law, the boroughs had 112 more Members than the counties; but the hon. Member for Chester (Earl Grosvenor) wanted to increase the representation of the Irish counties. Formerly there were 236 borough and sixty-four county members in Ireland; but at the Union, while the counties kept all their representatives, 200 borough seats were abolished. When the Irish Church was abolished he hoped the Government would bring in a Reform Bill for Ireland; and he hoped they would do so next year, or even, perhaps, towards the end of the present Session, if no needless opposition were offered to the passing of their measures relating to the Established Church. But what the people of Ireland desired in the matter of Parliamentary Reform was that their representation should be put upon exactly the same footing as that of England, and that the proportion of seats now given respectively to the counties and boroughs of Ireland should be reversed.

Mr. CHICHESTER FORTESCUE said, that the hon. Member for Chester (Mr. Raikes), in his zeal for the interests of Ireland and his kind intentions towards her people, had devoted a considerable part of his speech to advocating the claims of that country as a whole to a largely increased number of representatives. But, as he proceeded, he was good enough to withdraw that proposal from their present consideration, and did not ask them to involve themselves in a debate which he knew well would be one of no little difficulty and no small dimensions, if the question of a general re-distribution of seats were to be once more re-opened as between the three kingdoms in the first Session of the Reformed Parliament. He, therefore, understood the hon. Gentleman to limit his Question to the subject which appeared on the Notice Paper—namely, the re-distribution of seats in Ireland. Well, the circumstances in which that part of the Bill of the late Government fell out of sight in the course of its progress were familiar to most of them, and had, he thought, been correctly stated by the hon. Gentleman. As to that he would only say he believed the re-distribution clauses of that Bill were dropped by a sort of general consent on both sides, mainly for two reasons—first of all, because they were deemed by most of them extremely unsatisfactory, and certainly did not meet with favour from the Irish Members on that (the Ministerial) side, nor, he thought, with much favour from Irish Members on the other side. In the second place, the question of the re-distribution of seats in Ireland could not, after all, be one of very great magnitude. Important, indeed, as every such question was, still in the nature of things in the case of Ireland it must be confined within pretty narrow limits. It seemed to him that the greatest reform which could be made in the representation of Ireland would be one which he was afraid was not in the competence of that House, and that was the creation of a considerable number of large and important towns in that country. They might trust to her future progress in wealth, prosperity, and population to remedy that defect; but the truth was that if they were to have boroughs at all in Ireland, they must, for the most part, be boroughs of a small class. And when he heard the proposal of the hon. Member for Chester, made on the plea of justice to Ireland, he felt convinced that it would be met, as it had already been met by the hon. Member for New Ross (Mr. M'Mahon), with very great disfavour. The hon. Gentleman's proposal was that there should be a very considerable transfer of seats from the boroughs to the counties of Ireland. Now, that was not a process which he was prepared to adopt. He did not believe that any considerable increase—he would not say none—of the county representation at the expense of the boroughs would be acceptable to the public opinion of Ireland, or would put the representation of that country on a proper footing. It was true there were in Ireland several important counties, large in size and numerous in population, with only two Members. But at the same time every county in Ireland possessed two Members, which was not the case in all parts of the United Kingdom; and, moreover, many of the Irish counties were small. Again, in the Irish counties there was a great degree of uniformity in the character of their population, which might be said to be divided almost entirely between landlords and tenants; whereas the population of the English and Scotch counties contained much more varied elements. Those facts afforded an additional reason to his mind why they should take care not, to any considerable extent, to impair or diminish the amount of the borough representation which Ireland now enjoyed, small as, he regretted to say, many of the boroughs were. But he was asked whether it was the intention of the Government to introduce in the present Session a measure for the redistribution of seats in Ireland. Well, that subject had not formed a part of the programme of Her Majesty's Government. He could not admit that it was a subject which urgently required to be dealt with, and he must say he thought that of all times the first Session of a New and Reformed Parliament was about the time least fitted for dealing with it. But events were happening at this moment which might possibly make some difference in the course to be taken on that matter, because, without prejudging what might occur, it was impossible to shut their eyes to the fact that proceedings were now going on before the Election Judges in Ireland which might impose on the House and the Government the necessity, in some limited degree, of considering that very question of the transfer of representation from one community to another. But the hon. Member for Chester asked another question on a point on which, however, he had not dealt at much length in his speech—namely, whether, in the opinion of the Government, it was not premature to enter upon legislation affecting the welfare of Ireland until they had carried a measure for the redistribution of seats? Now he had no hesitation in giving a positive answer to that part of the hon. Gentleman's inquiry. He was decidedly of opinion that it was by no means premature to introduce the measures of which the Government had given Notice; and that the defects, such as they were, which he did not deny to exist in the Irish system of representation, formed no reason whatever for any delay in carrying out that policy which Her Majesty's Government had announced. On the contrary, speaking with some knowledge of Ireland, he would venture to say to the hon. Member for Chester that while that policy had received the adhesion of a great majority of the Irish people, as expressed through their present representatives, the only effect of substituting for the present system of representation in Ireland one still more perfect and more capable of expressing the views of its people would, he believed, be largely to increase the support accorded to the policy announced by Her Majesty's Ministers.

TRADES UNIONS.

QUESTION. OBSERVATIONS.

MR. SERJEANT COX said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Trades Unions Commission is expected; and if it is the intention of the Government to introduce during the present Session any measure for the regulation of Trade Societies? He did not put that question from mere curiosity, but because it related to a real grievance. The Commission on Trades Unions, presided over by Sir William Erle, ex-Chief Justice of the Common Pleas, had sat for many months, and had had its martyrs, as the Benches on the other (the Ministerial) side of the House too painfully showed. It had been stated some time since in the public prints that the Report of the Commission might be shortly expected; and just when they were looking for that Report there appeared a little book, written and published by the learned President of the Commission, purporting to be the substance of a memorandum which he had presented to the Commission, giving an exposition of the law as it now stood affecting Trades Unions. That work was a very full, clear, and conclusive statement of the law bearing on that subject; and it was not surprising that, when the members of those societies, who were counted by tens of thousands, read that exposition, they were extremely anxious to know what verdict the Commission over which its distinguished author presided intended to pronounce on them. According to the declaration of the law by the ex-Chief

Justice of the Common Pleas, it would seem that the very legality of these trades unions was questioned. It was, at least, difficult for them to know how to act without infringing the law. The unions were consequently placed in a very inconvenient position, and it was not surprising that, having had something in the nature of a judgment passed upon them before the verdict had been given, they should be extremely anxious to learn what that verdict would be. In the event of the legality of the unions being doubtful, he would ask the Government to introduce, without a moment's delay—within a week from the time when the Report of the Commission was laid upon the table—a Bill for the purpose of extricating them from the difficulty in which they would be involved; for, although there might be great difference of opinion as to the nature of the legislation in reference to trades unions, all would, he believed, agree that the existence of the unions must be recognized, although it might be necessary to surround their legal *status* by certain safeguards.

Mr. BRUCE: As I stated to the House the other day, the Report of the Commission may be daily expected. I have had the advantage to-day of communicating with one of the Commissioners, and I have been told by him that the Report is on the point of being sent in. I believe, however, that, although the Report will soon be made public, some little time must elapse before the whole of the evidence is printed; but I have no doubt that it will be ready in time to be fully considered with a view to legislation during the present Session. When the Report has been submitted to the Government we shall lose no time in legislating on a question the importance of which, I agree with the hon. and learned Gentleman, cannot be over-estimated.

PORTPATRICK LIGHTHOUSE.

OBSERVATIONS. QUESTION.

Lord GARLIES, in rising to recall the attention of the President of the Board of Trade to the subject of Portpatrick Lighthouse, said, he must apologize to the House for taking up their time with a subject which would be uninteresting to them generally; but if he was enabled to make the few remarks which he hoped to do, he believed they would agree with him that he was only doing his duty in bringing forward the subject of which he had given Notice. He must preface his observations by thanking the right hon. Gentleman opposite (Mr. Bright) for the very full amount of information he accorded him in answer to his Question on the subject a week ago; but he could not say that he was obliged to him for the substance of that information. He understood the right hon. Gentleman to say that it was the present intention of the Board of Trade to discontinue the light in question; but that, if it could be shown that the light was of utility to passing vessels, he would not sanction its abolition. Now, with the permission of the House, he would give a short *resumé* of the history of that Lighthouse. It was in the year 1790, some fourteen or fifteen years after that port had been first selected as the station for the transmission of mails from Great Britain to Ireland, that a lighthouse was first erected in the harbour. That continued until the year 1836; and in the interim the harbour was very much improved, and during that year (1836) the pier on the south side of that harbour was considerably elongated, and so important was the station considered that a new lighthouse was erected at the end of it. In that same year the charge of the Lighthouse was given to the Northern Lighthouse Commissioners, and they kept it burning until the year 1850, when, he imagined, it was discontinued in consequence of the mail service, which had been conducted by that port for seventy years consecutively, having been abandoned owing to there having been no railways at that time laid down to the ports on either side of the Channel. For two or three years, he must admit, that no accident happened on that part of the coast which could be considered to be mainly attributable to the want of that light; but in the year 1856—he thought it was—that a wreck occurred, entailing both loss of life and property: and it was on that account that the Board of Admiralty—in whose hands was at that time intrusted the charge of the harbour and works—ordered the resuscitation of the light, which had continued to be burnt ever since. Now, he had been engaged himself for the last few years with others in trying to re-establish a short sea communication between that port and the nearest port on the Irish coast; and it was during his interesting himself towards that end that he learnt from the persons who had practical knowledge in such matters, that that Portpatrick light was more beneficial than any other on the Scotch coast for all vessels from the English or Irish coast which were making for the entrance to the Clyde. Having given those facts, he would not trespass farther upon the time of the House; but he omitted to mention that a few days before the re-assembling of Parliament, he learned by a side wind that it was intended to extinguish that light by the first of March; and the answer he received from the right hon. Gentleman a week ago seemed rather to confirm that intention on the part of the Board of Trade. He must therefore speak, and with some confidence, to the right hon. Gentleman, who had hitherto, he believed, prided himself upon being outdone by no one in advocating the cause of humanity, not to signalize his advent to power by sanctioning the abandonment of a light, the maintenance of which he believed to be necessary to ensure the safety and preservation, not only of the property, but also of the lives of a large and deserving class of Her Majesty's subjects.

RULE OF THE ROAD AT SEA.

QUESTION. OBSERVATIONS.

SIR JOHN HAY said, that, as the right hon. Gentleman the President of the Board of Trade could only speak once on the Motion before the House, he would now interpose and ask the Question of which he had given Notice. He would, indeed, have been content with simply asking the Question, had he not thought it desirable to explain briefly the nature of the change which he should recommend as to "the rule of the road at sea"—the term usually applied to certain regulations issued by the Board of Trade for the purpose of showing vessels passing each other how to keep clear and avoid collision. Those rules had been translated into various foreign languages, and had been accepted as the rule of the road by almost all maritime nations. It would, therefore, undoubtedly be undesirable to meddle with those rules without sufficient cause. There were two rules with respect to steamships passing each other which, in his opinion, and in the opinion of many persons conversant with the subject, had occasioned collisions, and not secured safety at sea. The two rules to which he alluded were those contained in Articles 13 and 14 of the regulations. Article 13 was as follows:—

> "Two ships under steam meeting.—If two ships under steam are meeting end-on or nearly end-on, so as to involve risk of collision, the helms of both shall be put to port, so that each may pass on the port side of the other."

The 14th rule, which related to two ships under steam crossing, was—

> "If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other."

The rules, he thought, required no change so far as vessels meeting each other end-on were concerned, but when they were slightly or a great deal to the right of each other it was inexpedient that they should alter their course, so as to incur the risk of collision, which had occasionally occurred, from the desire that the vessels should pass to the left of each other. Instead of continuing on their course and passing each other on the right hand side, they turned their bows towards each other with a view to passing on the left, and many collisions and much loss of life had in consequence occurred. He was aware that the Board of Trade had issued certain explanations of the regulations, with the view to point out to those in charge of vessels that it was undesirable on such occasions as those to which he referred to pass to the left; but the Judges had asserted that those vessels which did not attempt to pass to the left under the circumstances and got into collision must be held to have broken the law. In the case of the *Thames v.* the *Stork*, the Court said—

> "In order to excuse her from porting it must be quite clear that there are three points of difference and not less; for surely it would never do to contend, where they were so nearly meeting end-on, that if the evidence should be that it was one or two points only in the direction they were meeting, that that would be sufficient to dispense with the observance of this rule?"

In another case, the *Fruiterer v.* the *Fingal*, the Court said—

> "Part of the evidence says that they were within two points of meeting end-on. I should consider that if they were within two points of meeting end-on, they would fall in with the latter part of the statement, 'nearly end-on.'"

There was, he might add, a valuable little handbook which was very generally accepted as a guide by officers in command of merchant ships, in which the author, Mr. Oliver, explained the law thus—

> "The expression 'keep out of the way' used in the foregoing regulations has been held to mean, as a general rule, going astern of the other ship; but under some circumstances it is otherwise. In all cases of doubt the safer course is to port the helm."

Now, if vessels happened to be at all to the right of each other it must be very unsafe to cross each other's bows at the risk of collision, with a view to fulfil the letter of the law, if not its intention and spirit. He was confirmed in that opinion by a statement of a late Colleague of his, Sir Alexander Milne, who said—

> "I have always thought that in the regulations some recognition of the starboard helm should have been made; but starboard helm is not mentioned, and persons are therefore led to assume that the starboard helm must not be used, whereas it is quite clear that when a green light is seen on the starboard bow, or nearly ahead, the starboard helm should be used."

He thought he had sufficiently indicated the reasons why it was undesirable that vessels already to the right of each other should cross each other's bows and pass to the left, and a very simple rule substituted for Rules 13 and 14 would, he believed, meet the difficulty. The rule which he would propose would require that steamers nearing each other should starboard the helm to a ship on the starboard bow or side, and port the helm to a ship on the port bow or side. He hoped the right hon. Gentleman the President of the Board of Trade would see the expediency of adopting that view.

ADMIRAL SEYMOUR said, he was of opinion that, although no regulations could altogether avert collisions at sea, they yet might be, to a great extent, avoided by the establishment of proper rules. He entirely concurred with his hon. and gallant Friend the Member for Stamford (Sir John Hay) as to the propriety of the change which he suggested. There was another matter connected with the subject, on which, in his opinion, sufficient stress was not laid in the regulations, and that was the stopping of the engines. In the collision between the *Osprey* and the *Amazon*, which had recently occurred, it appeared that the *Osprey* had gone down with her engines at full speed.

MR. BRIGHT: The noble Lord the Member for Wigtonshire (Lord Garlies) is quite right in the interpretation which he has put on the Answer which I gave him the other evening. He is probably aware that the Northern Light Commissioners have, on past occasions, expressed it to be their opinion that the light at Portpatrick, though it might be required for the purposes of the harbour, was not necessary for passing vessels. There is no disposition on the part of the Board of Trade—there could be no disposition on the part of any public Department to put out a light which was shown to be in the least degree useful; and I have now to state, in answer to the Question of the noble Lord, that nothing will be done in the matter to which it relates until further reference has been made to the Northern Light Commissioners, and their opinion taken upon it. If it should be found that the light is of use to passing vessels—a point on which I am not competent of my own knowledge to form an opinion—the Board of Trade will take care that it is not extinguished. As to the correspondence on the subject, I have no objection to its production, beyond that which is often a very good one—the expense which its publication would involve. If the noble Lord wishes to see the correspondence he can have access to everything which the Board of Trade has written on this matter, or if he thinks any public advantage could be gained by taking that course, I have no objection to lay the correspondence on the table. This answer will, I hope, be satisfactory to the noble Lord. With respect to the Question which has been put by the hon. and gallant Gentleman the Member for Stamford (Sir John Hay), the House will hardly expect that I, who am not a sailor, should enter into the minute and technical points to which he has drawn its attention. It is, I think, better that I should read a little memorandum which I made this morning, which will prevent me from being inaccurate, and may, probably, be regarded as containing a sufficient explanation on the subject. I understand that the present rule of the road at sea was adopted in this country after the very best professional assistance in framing it had been obtained, and after full discussion with the French Government, I also understand that the advisers of the Trinity House, the Admiralty, the Board of Trade, the Judges of the Admiralty Court in England, and the advisers of the French Government were unanimous on the subject. This agreement was come to in 1862, and since then it has been considered by the advisers of the various maritime States on the face of the earth, and adopted by them all. The rule of the road, therefore, which was agreed to in 1862, is at this moment the rule for the ships of all nations, and England cannot now of herself undertake the responsibility of altering this international law. That, I think, must be obvious to every one who examines the question. But with respect to the particular point to which the hon. and gallant Gentleman has more especially invited attention — the alteration which he would wish to see made in the rule bearing upon the position in which ships are when they are said to be nearly end-on — I would say that the matter has been considered since 1862, and another Order of Council explanatory of it issued in July, 1868. I am not sure whether both of the hon. and gallant Gentlemen who spoke on this subject were not members of the Board of Admiralty at the time. Probably they have forgotten what was then done; but I understand that their own Board of Admiralty wrote to the Board of Trade, giving their entire assent to the explanatory clause to which I have referred. That being so, I think I may fairly ask why, when at the Board of Admiralty, the hon. and gallant Gentlemen did not discover those imperfections in the law of which they now complain, and attempt to remedy them? I may state further that the Board of Trade have received many pamphlets and suggestions on various branches of this subject. No two of those pamphlets or suggestions, however, I believe, agree in the recommendations which they make. The rules now in force are, I may add, very simple. They are such that any person may learn them, as a child does a nursery rhyme, in a very short period; and it is impossible that a man sober, in his senses, and not panic-stricken by the events of the moment, should not be able to remember and apply them. They are taught to all masters and mates of ships, who cannot obtain their certificates until they thoroughly understand them. As to the correspondence on this subject, I may say that there are some Papers with respect to it which will shortly be placed on the table, and which will, I believe, include the correspondence on this particular point. If they should not be satisfactory, he will have the opportunity of bringing the matter before the House again. The House must excuse my further entering into the subject. I have given information which I believe to be correct, and I shall be very glad it it will meet the case which the hon. Baronet has mentioned.

REDUCTIONS IN THE GOVERNMENT DOCKYARDS.

QUESTION. OBSERVATIONS.

SIR JAMES ELPHINSTONE, in rising to call attention to the destitution at Portsmouth consequent on the discharge of Men from the Dockyard; and to ask the First Lord of the Admiralty, Whether he intends to take any measures to alleviate that distress by promoting emigration or otherwise, expressed his concurrence in the remarks which had fallen from his hon. and gallant Friend (Sir John Hay). What, however, he now desired more particularly to call the attention of the Government to was the great distress existing in several portions of the kingdom in consequence of the very large reductions which had been made in the dockyards. Into the causes which had led to the discharge of so many of the workmen he had no desire to enter, but the result was very great and wide-spread distress. At Portsmouth last year 1,118 men had been discharged. Against the character of these men nothing had been urged, and after parting bit by bit with their clothing and furniture they had to trust to the assistance of their neighbours for relief. They were too respectable to go into the poorhouse. £1,500 had been subscribed at Portsmouth for the purpose of alleviating the distress which the reductions had occasioned, and those who had been discharged were employed upon public works—the money being found by the municipality and the citizens combined, but this was insufficient for the purpose. During the continuance of the distress in Lancashire these men, then the possessors of comfortable incomes and happy homes, came forward with no sparing hand, and they now trusted that the Government would entertain their case with equal consideration. Indeed this was a duty which, in his opinion, the peremptory mode of dismissal that had been adopted rendered imperative upon the Government. His own acquaintance with working men was of a very intimate character, and he did not believe that it was at all consonant with the feelings or wishes of the working men of this country that so many of their brethren should be reduced to distress by being so suddenly and so unexpectedly deprived of their employment. The Mayor of Portsmouth, in a letter which he had written, described the distress which the discharge of so many workmen had occasioned as "deep, dire, urgent, and most heart-rending." It was indeed heart-rending to see gangs of workmen in the prime of life, standing at the corners of the streets with nothing to do. What was desired was this—in Portsmouth alone there were 200 or 300 men who with their families would be glad to emigrate if they had the means of so doing, and he did not think it an unreasonable request if he asked that these men should be assisted to emigrate to Canada, where, according to intelligence they had received, there was every reason to believe they could obtain ample means of subsistence.

Mr. J. D. LEWIS said, that as the representative of Devonport, he could fully endorse the statement which had fallen from the hon. and gallant Baronet (Sir James Elphinstone) as to the great distress which had been occasioned by the discharge of so many of the dockyard *employés*. Last year no less than 1,500 were discharged from the Government establishments at Devonport, and he believed he could safely assert that such a wholesale and reckless system of dismissing workmen had never before occurred in the borough. These discharges were attributable solely, he would not say to the fault, but to the act of the late Government, and he was, perhaps, exhibiting some ingratitude in referring to the subject, inasmuch as it was quite possible that, but for what had occurred, he should not have had the honour of addressing the House that evening. He did not mean entirely to blame the late Government in this matter, for when persons got into difficulties they were occasionally obliged to reduce their establishments. Though, however, the servants so discharged, might possibly have no legal claim against their late masters, the latter would not be favourably regarded by society if they altogether turned their backs upon the wretched people who by the loss of their employment had been reduced to distress. He was sure his right hon. Friend the First Lord of the Admiralty would not fall into any such mistake, and it was with great satisfaction he heard last night that there was to be no further reduction in the number of men employed at Devonport and Portsmouth. His right hon. Friend the First Lord of the Admiralty had stated, that of the 4,629 men who had been discharged 2,000 had been employed only from the preceding October, and that they must therefore have known their services were liable at any moment to be dispensed with. But that would still leave more than 2,600 who had been working at their employment for some years, and who, if discharged in so unexpected a manner, were certainly entitled to some slight consideration at the hands of the Government. He trusted that the Answer of his right hon. Friend would be calculated to give satisfaction in this matter.

Mr. GRAVES said, he was unwilling it should be supposed that the reductions complained of affected solely the localities more immediately concerned. With regret he must say they affected the shipwrights and other artizans connected with the shipping trade throughout the kingdom. This particular branch of the trade of the country was generally pretty well regulated by the law of supply and demand. On the whole, however, the supply might be said to be greater than the demand, and therefore the effect of 2,600 men being suddenly thrown upon the country would be greatly to increase the supply, and thus, to a certain extent, to increase the pauperism of the country. His object in rising was to ask the right hon. Gentleman the First Lord of the Admiralty, in his reply, to give the House some idea of the terms of the engagement of these men. He had always been under the impression that those engaged in Government Dockyards received lower wages than those who were employed in private yards, and that in consequence they were entitled to the receipt of some pension or gratuity on superannuation or on leaving the service after some time. If that were so, he certainly could not help thinking they had some claim to consideration at the hands of the Government. It might be proper that the Government should wish to carry out a reduction, but it was clear that they ought to avoid anything like a breach of public faith.

MR. STONE said, he was glad that his hon. Colleague (Sir James Elphinstone) with whose sentiments he thoroughly concurred, had confined his remarks to the distress existing in Portsmouth, and that he had not gone into any matters relating to those who were responsible for this distress. It might be asked how it was that men who were discharged last year had not long before this taken steps to obtain employment elsewhere, instead of remaining to be a burden to the rates? but the answer had been supplied by the hon. Member for Liverpool (Mr. Graves), and it was that the depression in the ship building trade was not confined to the dockyards, but was general throughout the country. Therefore there was no opening for those men in their own employment in any other part of the country, and it was of no use their going elsewhere. It might be said that these men took employment with the distinct understanding that they were liable to be discharged at any moment, and therefore they had no legal claim on the Government; but there was a difference between the discharge of one or a few men from one out of other establishments and a wholesale discharge like this from all places where the men could find employment. There was another matter to which he wished to refer, namely—the position of the Government in dockyard towns in connection with the poor rate. The question was whether the Government should not contribute their fair share to the rate in a crisis like this? A great many persons in the towns suffered from the diminution of trade and the increase of the local rates; and although the Government within the last few years had made a contribution to the poor rate in respect of the premises they occupied, they paid a fixed sum, so that their contribution did not vary with the amount which was required to be spent in the place. When the Government increased the rate levied upon the town, by discharging their men, they did not, like private employers of labour, increase their payment to the rate. All he asked was that the Government should recognize these facts and afford help in some way or other.

MR. C. WYKEHAM-MARTIN said, he could assure the House that the distress was as great in the South of England as it was in the West. He would abstain from speaking particularly of the borough which he had the honour to represent (Rochester), although in that place there were men who had served the Government for thirty years and who were now walking the streets in search of employment. He would, however, remark that at Woolwich the distress was extending from the late *employés* of the dockyard to the poorer class of shopkeepers in the town; and unless the Government would give some assistance, he was afraid the increase of the local burdens of the counties of Hampshire, Devonshire, and Kent would countervail any reduction of the public burdens.

MR. MONTAGU CHAMBERS said, he wished to call attention to the general subject of the employment of workmen in national establishments. Those who had been connected with dockyards, or had represented constituencies which included dockyards, must have observed the critical position in which workmen were placed from time to time. When the idea prevailed that Government dockyards were the proper places in which to build ships there was a demand for workmen. Then there followed a period in which economy was required, which was generally just before the Estimates were proposed; and, to the great injury of the industrial classes, a large number of workmen were discharged, and the greatest distress was produced. It had been his misfortune to see this distress in its horrors and miseries, and it was impossible to describe the effects of it on the families of the unfortunate men. It led him to think it was desirable that these sudden changes should, if possible, be avoided by the adoption of some fixed rule. Was it not possible to employ the men in some other way than in the building and repairing of ships? He had before advocated their employment in breaking up old vessels as preferable to discharging them, and he still considered that desirable. Extraordinary statements had been made in the late Parliament of the loss in which the country was involved by the sale of wooden vessels to be broken up by private shipbreakers. Two, which were originally valued at £80,000 and £40,000, were sold respectively for £28,000 and £26,000, and the stores were re-purchased by the Government for £32,000 and £30,000.

If workmen, instead of being discharged, had been employed in breaking up these ships, their distress might have been greatly mitigated. The late Government, after this suggestion, and when the elections were coming on, employed discharged men at Sheerness and Devonport to break vessels up. He was informed that the distress at Devonport had been much alleviated by two small vessels being broken up in the dockyard at that place. He hoped the First Lord of the Admiralty would ascertain how many vessels that used to be in ordinary were still to be disposed of; and whether he did not think it would answer the purpose of the Government to employ men in breaking them up. Although he hoped that something might be done to assist emigration, he must also observe that when he visited Keyham factory lately, he was informed that men had been discharged from that establishment, while the necessary work upon which they were employed remained unfinished. The same thing, it was alleged, had happened at Devonport Dockyard. He could not understand how that could be called economy. He thought it would be very desirable forthwith to investigate what work there was on hand, with the view of ascertaining whether it would not be true economy to take back some of the men.

Mr. CHILDERS: The last time it was my duty to engage in a debate of this kind — when some of the same speakers took part in it as have spoken this evening—was in 1866, when I think six or seven gentlemen representing dockyards declared with one voice how absolutely necessary it was to raise the wages of the dockyard men, because, if their wages were not raised, the men would leave the yards and the Government would get no work done. I was at the Treasury at the time, and I ventured to resist that Motion, and gave good grounds for it. I must say that, having listened very patiently during the last hour to what has been said about the dockyard labourers, and in the light of that discussion reviewed the past, I feel grateful that the Government came to so wise a conclusion in 1866. There is no doubt that if Government had listened to the demands of the hon. Members who urged an increase of pay, the attractions of dockyard towns would have been proportionately increased, and we should at this time have been more loudly called upon to provide from the public revenue compensation to the dockyard towns because labourers have been thrown out of work. Before I answer the specific Questions put by my hon. Friend the Member for Portsmouth (Sir James Elphinstone), let me say a word in reply to what has been stated by the hon. Member for Liverpool (Mr. Graves). I thought I had anticipated the inquiry he addressed to me when replying to a Question last evening on this subject. I then stated very precisely how many men had been discharged from the dockyards, what were their rights to compensation or superannuation, and whether those rights had been respected; and I stated as clearly as I could that everybody who had rights to compensation had had those rights respected. I think I also gave the numbers of those who had been discharged with compensations, and the average amount of compensation, whether in the shape of annual payment or gratuity, they had received. In reply, therefore, to my hon. Friend I would say that the persons who were discharged last year, with a few exceptions, were persons who had been hired on the expressed condition that they would be discharged at short notice without any gratuity if their service was short, and with a certain limited gratuity if their service was long. Having looked into the matter I believe the late Government, under whom the whole of these proceedings occurred, acted justly with respect to these men and the terms upon which they were engaged, and therefore there is no occasion for the apprehension under which my hon. Friend (Mr. Graves) labours. Now, Sir, I will come to the precise Question which has been put to me by my hon. Friend the Member for Portsmouth. He has called attention to the destitution existing at Portsmouth consequent upon the discharge of men from the dockyards, and he has asked whether the Government is prepared to take a certain course with the view to relieve it. Let me state the nature of this discharge. I have looked very carefully as far as Portsmouth is concerned into the figures with respect to these discharges, and the fact is simply this — According to the Estimates in force before 1868 there were, in round numbers, some 4,800 or 4,900 usually employed in the Portsmouth Dockyard. These numbers have now fallen to about 4,000. The difference, therefore, is not very much if you merely look upon it as a question between the former amount of employment in Portsmouth Dockyard and the present amount; but what really happened was that towards the end of 1867 the late Government decided to engage for a specific purpose — whether wisely or unwisely I will not now inquire —an additional number of men beyond those provided for by the Estimates. Somewhere about 300 or more were so engaged for a short time at Portsmouth, and I understand that a considerable number of these men, attracted by the chance of work, came from the North through the distress in the shipbuilding trade there; we have no official Return, however, to show how many of those men came from distant parts. During the financial year ending with March, 1868, this extra employment continued; but the Government came to a somewhat sudden decision to reduce the number of men, and the numbers in Portsmouth Dockyard between March, 1868, and June, 1868, were reduced altogether by somewhere about 1,650 men. In June, 1868, two months before the close of last Session, the reduction practically ceased, and in fact there are now more hands employed than there were in June last. It is clear, therefore, that the Questions I am now called upon to answer should have been addressed to the late Government in July last, rather than to the present Government, who are not only employing the full number of men employed last June, but are providing in the Estimates of 1869-70, for an additional number beyond those employed last year at Portsmouth, as well as at Devonport, and Chatham. I repeat, that distress which my hon. Friend has brought before the House was occasioned by the discharges of eight months ago, and not at all by anything which has occurred during the latter part of the year. But hon. Members from dockyard towns ask us to consider whether the destitution is of such a character as to justify the Government in resorting to special provisions, involving a charge on the public, for the workmen at these towns. Now, one word as to the cause of this destitution. I do not think the reduction in the numbers at the dockyards such as I have described during the last eighteen months before the increase, in any respect abnormal. Reductions have been made on previous occasions quite as large, but have attracted no special notice. The real fact is, that the reduction in the shipbuilding trade connected with the Government is only a fraction of the reductions in the shipbuilding trade throughout the country. The number of men employed in the Government yards is very few when compared with the number in the trade as a whole, and these discharged men are very few, indeed, as compared with the numbers reduced to absolute poverty by the sudden change which has come over many branches of our trade, especially the shipbuilding trade, during the last few years. It would be altogether wrong to suppose that the former or the present Government are in the least responsible for the present state of things, which is really almost entirely the result of a great wide-spread and well-known distress which has come over the whole of the shipbuilding trade. With respect to Portsmouth, my hon. Friend will forgive me if I am not able to go into much detail, because, although I saw him some short time ago on the matter, I received the explanatory papers from the Mayor of Portsmouth only last Tuesday. But the distress at Portsmouth is by no means solely due to any reduction of the number of dockyard men; on the contrary, I found three very distinct causes of distress at Portsmouth at this moment. The large contract works connected with the fortifications have been suspended, to a very great extent, during the past two months; the extension works at the dockyard, in which men are employed in large numbers by a contractor, have been slack during the winter; the Corporation of Portsmouth, too, has been employing a very large number of men whom they have recently discharged, and these causes have largely contributed to the destitution deplored. That is the general statement I have to make as regards Portsmouth. Then my hon. Friend has suggested that Government should help the men to emigrate; but I am quite sure he will not expect from me anything like a complete reply, considering the matter was brought under the consideration of the Government only three days ago. To any general system of emigration carried on by the Government I should entertain very strong objections. The colonies are coming forward themselves for that purpose.

Hon. Members may have seen by a letter in *The Times* this morning that there has been a very considerable change of opinion on the subject of emigration in a colony of which I once knew something. But considering the whole course of our policy towards the colonies, nothing, I think, could be more unwise than that we should suddenly embark in a large emigration scheme. Besides, at this moment the Poor Law authorities have power, under an Act of Parliament, to assist emigration; whether that system is workable or not I do not pretend to say, but the power itself exists. I must, therefore, decline giving any positive answer to the Question which has been put to me, beyond pointing out the two considerations to which I have already adverted. I think it is the duty of the Government to exercise its power of discharging men in large numbers from the dockyard with discretion and moderation, and upon some very plain principle. Whether the large discharges last year fulfilled those conditions it is not for me to say. I shall not attempt to go into that question. But my own opinion on the subject generally is perfectly clear; it is, that those who employ large bodies of men, while resisting claims inconsistent with the terms of employment, should, on the other hand, have regard to the time, the manner, and the circumstances in which it is proposed that labour should be thrown back upon the country. That is the only answer I can give to my hon. Friend, stating distinctly at the same time that this is the policy by which I shall be guided as long as I have anything to do with the administration of the Admiralty.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee.

(In the Committee.)

Resolved, That a Supplementary sum, not exceeding £131,844, be granted to Her Majesty, for the following Civil Services, which will come in course of payment in the year ending on the 31st day of March 1869.

[Then the several Services are set forth.]

House *resumed.*

Resolution to be reported upon *Monday* next;

Committee to sit again upon *Monday* next.

ROMAN CATHOLIC CHARITIES AND REGISTRATION OF BURIALS.

MOTION FOR A SELECT COMMITTEE.

MR. NEWDEGATE:* Sir, the Motion of which I have given Notice, which is, for the appointment of a Select Committee to inquire into the present operation of the Roman Catholic Charities Act of 1860, and into that of the Burials Registration Act of 1864, has been somewhat misapprehended out-of-doors. It has been thought by some persons that this Motion of mine is analogous to the one I made four years ago, and was for a Committee to inquire into the increase of Monastic and Conventual Establishments in this country, into their character and their discipline, with a view to the institution of some system of inspection. At the outset, then, I beg to state that my present Motion is proposed with no such intention as that. The object which I have in view is a very simple one; it is that this House should appoint a Committee for the purpose of ascertaining how far the provisions of the Act of 1860, with respect to Roman Catholic Charities, have been acted upon by the Roman Catholic community; whether the enrolment of trusts, which that Act contemplates, has been carried out in such a manner as to fulfil the intentions of the Legislature; and whether the system of enrolment and the entries in the Rolls Court are such as to afford reasonable security to the public, and the necessary amount of information to those who are desirous of informing themselves with regard to the disposition of the property held under those trusts. In the first place, then, I will deal with that Act; having given my support to Sir Charles Selwyn and Sir William Bovill, when Members of this House, in assisting the then Government, represented by the late Sir George Cornewall Lewis, in passing it through this House. I will go hereafter into the history of that measure; but I would here observe that this statute is of a most liberal character. It removes the difficulties which were formerly interposed between intending donors of property for Roman Catholic religious uses by the Superstitious Uses Act, an Act that forbids the devising of property for prayers for the dead and other purposes, by means of which the Church of Rome, and I believe other Churches also, have accumulated property to such an undue extent in every country in Europe, as indeed was the case formerly in this country, that Legislatures generally have been unanimous in their efforts to limit these devises in mortmain. I shall be prepared to show that the Government of France in particular has had to struggle against this difficulty. The Church of Rome in that country has received endowments and accumulated property contrary to the law; and M. Dupin, having in 1861 reported upon the evasions that were practised by the Roman Catholic hierarchy in France, M. Persigny, at that time at the head of the Home Office, issued a decree and exerted himself greatly to abate that which had become a growing evil—namely, the locking up in mortmain of a very large portion of the property and wealth of the nation. The evasions of the law in France took a singular turn. In that country, there are certain congregations and societies connected with the conventual system, and particularly *la Sociétié di St. Vincent de Paul*, who are employed largely in collecting this property, and after having been pursued by M. Dupin and the French Government from one evasion to another, they came to this—instead of creating any trusts, which might fall under the cognizance of the Government, they invested the whole of the property in a certain M. Baudin, who held the securities, and perpetually changed the coupons so as to prevent the property being traced. I do not know what measures have been recently adopted by the French Government, but I refer to these facts as showing, at all events, the need of supervision which is felt in that country. The other statute which the Motion embraces is that for the Registration of Burials, respecting which I may say that it is *in pari materia*, because it relates to cemeteries which are held by the Roman Catholic community on the same terms as other property; and it has been proved before the courts of law, in the case of "Smee v. The Oratorians at Brompton," that they not only omitted to register the burials in Roman Catholic cemeteries, but had positively refused to do so. It is a principle laid down by the Bank of England, and by other great institutions having the charge of property, that it is essential not only that the death but the burial of the former owner of the property should be registered, inasmuch as the details afforded by the register of death are not always sufficient to convey the information necessary for the proper devolution of the property. Now, the Burials Act passed through both Houses of Parliament without a division; and last year, at the instance of an hon. and learned Friend, I moved an Address to Her Majesty for Returns with regard to its operation, in order to ascertain how far it had been complied with; but although eight months have since elapsed, and the obligation to furnish Returns, as resting on the public officers, survives the Parliament, the Returns have not been any thing like fully made. I find, in short, upon inquiry at the Home Office, that not more than one-third of the proper number of Returns have been furnished, and that these prove a non-compliance with the provisions of the statute. I may venture to assert this because I am prepared to prove it before a Committee. There are, therefore, two Acts which have been passed in recent years, and in reference to which I can show that in the case of neither have the intentions of the Legislature been carried out. It is obvious that legislation is a farce unless the laws which are passed be complied with; and there is no doubt that the enrolment under the Roman Catholic Charities Act, to which I will now refer, is not sufficient to afford to persons who may consider themselves interested in the property held under those trusts the requisite information as to its extent, or as to the ownership, or, in fact, as to who the trustees really are; because I find that a provision of that Act which, in the most liberal sense validated existing trusts, whether the property was held contrary to law or, in accordance with the law of the Roman Catholic community, after twenty years' possession by the trustees; by mere possession or by mere virtue of use, whether the title was originally a good title or not; that the provisions of this statute have been so construed that persons now say that the words of this clause are prospective, that they were not merely intended to validate existing trusts which I believe to have been the purpose of Parliament; but that any one in possession of such property has only to wait twenty years, and whether their possession of the property be in accordance with law or not, they have a good title at the end of the term. This provision, therefore, operates as a direct premium against enrolment, although enrolment is the object of the statute. Now this is, in a certain degree, speculative; but I have pretty good reason for relying upon my information. I understand that although under this Act, in order to gain a good title to the trust property, enrolment must take place in the first instance; no sooner has one set of trustees been enrolled than they may either all resign, except, perhaps, one, and he, being a Roman Catholic Bishop or priest most likely, who would thus become sole trustee, or they may appoint entirely new trustees without the necessity of a fresh enrolment. It is manifest that the intention of enrolment is that there should be a record kept of the existing trustees; but, by means of the proceeding to which I have referred, I am informed that the object of the enrolment is defeated. I have explained to the House that the intention of the Act was to validate possession in Roman Catholic trustees, however they may have acquired the property prior to the year 1861; and there is in the ninth Report of the Charity Commissioners—the only Report which refers to the operation of the Act—a passage which, with the permission of the House, I will read, because it speaks with greater authority than I can. Adverting to the previous state of things, the Charity Commissioners in that Report say, that the temporary exemption of Roman Catholic charities from the operation of the Charitable Trusts Act ceased in 1860. And I should remind the House that the Charitable Trusts Act, which is applicable to the charities of every other denomination, was passed in the year 1853; and it was under this Act that the Charity Commissioners were incorporated, and that the powers granted to them by the Legislature over the charities of other denominations were confirmed. Through the pressure put upon Lord John Russell's Government in that year, the Roman Catholic charities were exempted from the operation of the Charitable Trusts Act, and that exemption was to continue for seven years. The passage in the Commissioners' Report of 1862 is in these words—

> "The temporary exemption of Roman Catholic charities from the operation of the Charitable Trusts Acts ceased in 1860. The Roman Catholic Charities Act of the same year created special facilities for supplying the enrolment of existing Roman Catholic endowments, which, though necessary to their legal validity (when comprising real estate), had been omitted during the prevalence of laws specially affecting the Roman Catholic body. Although numerous grants have been enrolled, as in compliance with that Act (approaching to 400 in number), yet the trusts, on which these assurances were made, or which were intended to be attached on the grantees, appear only on a very inconsiderable proportion of the enrolments; and it may, perhaps, be concluded that the administrators of the properties which they comprise have prepared to rely on their practical dedication to public purposes rather than by legalizing their settlement to subject them more directly to the general law, or that the means of making more sufficient enrolments may have been wanting. No Returns have yet been made of the income and expenditure of any such charities, but the time allowed for the transmission of such Returns for the year 1861, the first complete year since the termination of the exemption referred to, has not fully expired."

The House might have expected, after empowering the Charity Commissioners to validate these trusts by purging them of any expressions that might be held to be contrary to the Superstitious Uses Act, and after directing them to send schemes in all cases to the Court of Chancery, by which—if not the whole, a portion at all events—should be validated in law; that, after making such a concession as that, these powers would have been used by the Roman Catholic hierarchy and the Roman Catholic community. But I have been to the office of the Charity Commissioners, and asked why there is no Return in their subsequent Reports of the operation of this Act of 1860; and the answer I have received is that since the Return, from which I have quoted (that of 1862), only in a few trifling cases have the powers conferred by that Act ever been used. I wish to show in as few words as I can the importance of this subject, because the increase of this Roman Catholic trust property has attained a rapidity which has not for centuries been known until within the last twenty years. The accumulation of the property is going on from day to day and hour to hour in mortmain, and as it appears from these Returns, without the proper authorization of Law, as recommended by the Committee on Mortmain in 1852; beyond the purview of the law, and without the facilities for the acquirement of information on the part of persons who may consider themselves heirs, or who are otherwise interested, which the Committee of 1852 deemed to be most desirable, and which have been required, as conditions of possession of every other denomination than the Roman Catholic by the general statute of 1853. I will now proceed to show to the House that there is reason for the exercise of some care in this matter, and that the laws of England do not secure the due enrolment and description of this trust property; that they do not afford the publicity and security against fraudulent misappropriation of such property which the Bequests Act has secured to the Roman Catholics of Ireland. I have in my hand the evidence which was given by the Master of the Rolls for Ireland before the Committee on Mortmain in 1852, and with the leave of the House, and to avoid misunderstanding, I will read one paragraph. He said that he considered the act of 1844 a great improvement, investing as it did this property in a body of Commissioners, and this is his description of the method of enrolment which the Legislature then sanctioned, and which has since been maintained—

> "Do you get a Return from the Courts where wills are deposited of all bequests ?—Yes, a Return is made regularly under one of the sections of the Act, the 19th section.
>
> "Does that Return state the amount of property bequeathed and the purpose of the bequest ?—The Returns that have been made to the present Board are fuller than the Returns which were made to the late Board ; rather fuller than the Act required. I may mention to the Committee that a Return was made last Session to the House of Lords by the Board of Charitable Bequests and Donations, in pursuance of an order of that House, containing a copy of the Returns made to us from the original constitution of the Board on the 1st of January, 1845, down to last June or July. I can give the Committee the form or Return which has been furnished to the House of Lords. The first column contains the testator's or testatrix's name and late residence ; the second column contains the date of the will ; the third column contains the date of the death ; the fourth column contains the date of the probate ; the fifth column contains the name of the executors ; the sixth column contains the amount of effects sworn to ; the seventh column contains a short abstract of the charitable bequests ; and then there is a column for observations. If the Committee will refer to that Return they will get full information on the subject."

It is quite clear, therefore, that these Commissioners possessed an accurate knowledge of all those bequests, and of everything connected with the property under them, which should come within their cognizance, and we have it on the authority of the Charity Commissioners that the Act of 1860 has not provided anything like such accurate specific enrolment. I fear that there is a disposition on the part of the Roman Catholic hierarchy not to comply with this law, and, in order to prove that this is probable, I will quote the statement, contained in a protest, made by the Roman Catholic hierarchy and clergy of Ireland against this Roman Catholic Bequests Act about four months after it was passed into a law. In that protest they say—

> "We, the undersigned Archbishop, Bishops, and priests of the Roman Catholic Church in Ireland, having studied with attention the provisions of the Act of Charitable Bequests take the earliest opportunity which the unavoidable delay of consultation allowed us to declare our conviction that the measure is fraught with the worst consequences to religion, and if carried into operation will finally lead to the subjugation of the Roman Catholic Church in Ireland to the temporal power."

That is to say, the power of the State. But here comes the most remarkable passage—

> "Instead of a concession it is a new penal law of the old leaven."

And why ?

> "By forbidding the dying sinner in his most sincere moments—the time of his last sickness—to redeem his sins by the bequest of a single acre of landed property for any religious or charitable purpose in our communion."

This, Sir, although the quantity specified is "one acre," which in many cases the Law allows, and even a large quantity, seems to me a distinct denouncement of the law of mortmain. The protest goes on—

> "It enacts that Roman Catholics—perhaps Bishops, should they be found to consent—shall be the persons to carry out the spirit, indeed the letter, of a penal clause in the late Act of Catholic Emancipation, which excluded the religious orders throughout Great Britain from the benefits of that Act, and against which the secular clergy in a petition to Parliament solemnly protested. It provides for the nomination by the Crown of five persons professing the Roman Catholic religion. They may be laymen, who have neither practical religion nor faith to recommend them, and whose province shall be to judge of matters vitally connected with our doctrine and discipline. If Bishops they will be called on, in the exercise of their functions as Commissioners, to interfere and pronounce in spiritual matters belonging to the jurisdiction of other Bishops, which is a flagrant violation of the canons of our Church. In cases within their own especial jurisdiction they will have to decide, not in virtue of the inherent powers of their holy order, but by the licence and authority of the Crown, which would be a virtual surrender of their sacred office and jurisdiction to the authority of the State. We beg leave, therefore, most firmly but most respectfully to protest

against a Board so constructed, whether lay or ecclesiastical. If it is to be composed of laymen of state nomination, we must view it as a step towards the introduction of faithless and interested politicians to tamper with the independence of our Church, for the purpose of forwarding the anti-Catholic views of men in power, and of promoting their own personal interests. If the Board is to be composed of Bishops similarly appointed, we must regard the novel project of selecting ministerial favourites from the hierarchy as most calculated at once to create divisions in our body, to the well-being of which union and harmony are so essential, and to weaken and finally destroy the confidence of our faithful people, who having expressed so much feverish anxiety at the mention of their clergy being pensioned cannot fail of being alarmed at seeing them accept places and patronage under the Crown. For these and other reasons, which could not be crowded into a short form of declaration, we protest against the Act of Charitable Bequests, and declare our determination to oppose it by all legal and constitutional means in our power."

Let the House consider, then, to what this protest amounts. It is signed by fourteen Roman Catholic Bishops and a thousand priests, and it is a protest against the exercise of the temporal power of the State in any degree over Roman Catholic charitable or conventual property, and is a direct defiance of the law of mortmain, which forbids in this country the validity of any will, made by a dying person within twelve months of death bequeathing property to a religious foundation. The law also invalidates any deed of appointment or gifts to trustees if signed within three months of death for the like purpose. It was a protest signed by the greater part, if not the whole, of the Roman Catholic Bishops and a thousand priests, and it denounces a law passed by this House for Ireland, a law which has been in operation with beneficial effects ever since the year 1844. I am sorry to say that the non-effect or insufficient effect of the Roman Catholic Charities Act passed in 1860, and the non-compliance which we find with the provisions of the Burials Act seems to me to indicate the same determination on the part of the Roman Catholic hierarchy to reject and to repudiate the authority of the State in everything which relates to the property devolving upon that Church. They speak in the protest I have quoted—these Roman Catholic Bishops and clerical protesters—of interference with discipline. Well, Sir, the Legislature of this country has always disapproved of "discipline" being exercised upon the dying for such a purpose as the acquisition of property by a Church, or indeed by any corporate body in the last hours of expiring mortality. Yet to use these means for acquiring property is what these Roman Catholic Bishops claim as a right, and they denounce the law because—like the law which exists in France and throughout continental Europe, aye, and existed in this country, too, from before the Conquest—it imposes a limitation upon the acquisitiveness of clerical bodies, and especially of the Church of Rome. So very liberal were the provisions of the Act of 1860 that I thought, as the then Government and the House thought, there would be a ready compliance with them; but I confess that I am disappointed, for instead of availing themselves of that enormous boon, the validation of all the property held by them in trust, on the ground of twenty years' user, simple possession of it, whether rightfully or wrongfully, up to the date of the Act, it appears that after the first year subsequent to the passing of the statute there is scarcely any evidence of enrolment; that the enrolments are at all events scanty, and that the system of enrolment in the Rolls Court is such as to create and interpose confusion and difficulty when persons, believing themselves interested, seek to ascertain whether the property is vested in trustees who are amenable to the law. I need hardly quote more of this Report of the Committee of 1852; still there is one passage to which I should like to direct the attention of the House with respect to the original Mortmain Statute of George II.—

"It appears that the fourth requisition which compels enrolment of the deed of gift in the Court of Chancery, is very defective as a means of ensuring publicity, and that there is great difficulty in obtaining evidence of charitable trusts when information is withheld. The general opinion of every witness of importance, with the exception of Dr. Wiseman, who declined to express any opinion on the subject, is that the greatest publicity should be given to all deeds or instruments, settling property for charitable purposes, and to the mode by which the trusts declared by such deeds or instruments are carried into execution. In this opinion your Committee fully concur; and they would suggest that it should be incumbent upon all persons to whom real or personal property is given or bequeathed upon any charitable or religious object, to make a Return either to Commissioners or to some public Board of the nature of the gift and the particular purposes to which it is to be applied."

The Committee then proceeded to show the manner in which secret trusts are created, and other methods, by which the law against mortmain is evaded. A general law. the Charitable Trusts Act, founded upon the recommendation of this Committee, was passed in 1853, and ensures compliance with this recommendation by every religious denomination, with the exception of the Roman Catholic, who claimed to be exempted from the law, and obtained the exemption. That exception, Sir, does not seem to be very much like a love of equality. And it strikes me, that, at a moment when we are contemplating something more stringent than a law of mortmain with respect to the Protestant Church established in Ireland—when we are told that the minority in that country is to be deprived of so large an amount of property, which they hold by an undoubted title, it is especially incumbent upon this House to take cognizance of the operation of the Roman Catholic Charities Act of 1860, and to see whether it has not proved the means of accumulating property in the hands of the Roman Catholic heirarchy in this country to an extent that is not permitted to any other denomination, and by means which enable them to evade the law of mortmain. I will now show you that there is reason to suppose, from the enormous and rapid accumulation of this property, that the relaxation of the law has in practice led to that accumulation of property in the hands of the Roman Catholic hierarchy, that this accumulation has been unprecedented, and that this state of things has been by favour of the law, or rather by an evasion of the law, which restrains all other religious communities in the acquisition of property. I cannot see that there is equality in this. In the year 1864 I brought before the notice of the House the Petition of Mr. Smee, to which I have before referred, who complained that during the last illness of his relative, Mr. Hutchinson, influence was used over him by the late Mr. Faber, the Principal of the Oratorians at Brompton —a society which Mr. Hutchinson had joined—by means of which Mr. Faber obtained a sum of money amounting in all to £40,000, that is to say, by the last bequest, coupled with previous gifts. At that time I quoted an extract from a speech then lately delivered at Malines by the late Cardinal Wiseman, which was to this effect—

> "Allow me now to present to you, by means of statistics, a rapid view of the effect produced by these different measures. The Census gives the population in England—for the year 1831, 13,896,797; for the year 1841, 15,914,148; for the year 1851, 17,927,609; for the year 1861, 20,906,224; an increase of about 2,000,000 in each decennial period. From 1831 to 1841, the population, therefore, increased 14 per cent. In the same period the number of priests increased about 25 per cent, or nearly double. During the following ten years the population increased 13 per cent, the number of priests 45 per cent. Lastly, from 1851 to 1861, while the population increased 12 per cent, the number of priests increased about 37 per cent. Here, again, are the precise statistics which will allow you to judge of the continued increase of the Roman Catholic Church in England. In 1830 we numbered but 434 priests for the whole of England. At present we have 1,242, that is to say, three times as many. The number of our churches, which was 410, has now increased to 872; from 16 convents which we possessed in 1830 in the United Kingdom, we have now, in 1863, 162. Lastly, in 1830, we had not a single religious house of men, in 1850 there were already 11, and to-day their number is 55."

Such is the account, which was given by Cardinal Wiseman, and he, I suppose, must be held an unimpeachable authority; but I have some other statistics here which are not taken from Roman Catholic sources, and the accuracy of which I have no reason to doubt. These represent that—

> "The increase of Roman Catholic institutions has recently been very great. In 1829 there were no monasteries nor convents publicly announced, and there were but 477 priests, and 449 chapels and stations. In 1841 there were but 1 monastery, 16 convents, and 9 colleges. In 1851 there were 17 monasteries and 53 convents. In the present year there are in England and Wales, 1,122 churches, chapels, and stations, 18 colleges, 214 convents, and 67 communities of men, altogether illegal, with inmates probably amounting to 3,000 males and 13,000 females. In connection with such institutions, real or personal property to a very large amount is, no doubt, fast accumulating, as well as for masses for the dead and other superstitious uses of the Romish religion. If each inmate of a convent bring a dowry of say £250, this would amount alone to upwards of £3,000,000."

It is perfectly clear that all these communities must have property to sustain them; and I think it is but fair to infer that their property has increased in something like the proportion of the number of priests and of the inmates which these establishments have to maintain, if not in a greater ratio; because it is a well-known fact that the conventual property, held by the Church of Rome is generally of a profitable nature, because the sum required with each nun represents on an average a larger amount than the capital required to provide for her, and that there remains a surplus over and above the expenditure on the maintenance of the establishments. I have adverted to the declaration of the Roman Catholic hierarchy in Ireland that they claim the right of obtaining from persons, who are languishing on their death-beds, a large amount of property, and that they denounce the law, which places a restriction upon them, in common with the clergy of every other denomination. But there are other means by which the Church of Rome obtains property. I have another case here; and if the House will allow me, as it is very brief, I will state it in the words in which I have it—

> "In January, 1855, a lady of the name of Thompson became a Roman Catholic, was received into the Romish Church by Father Faber

—the same person who obtained the property of Mr. Hutchinson, to whom I have referred—

> who became her confessor, and in November, 1859, she entered the Carmelite Convent at Paris. Father Faber made all the arrangements; the lady paid £1,000 as dowry, she took the vows of obedience, chastity, and poverty; and subsequently she assumed the black veil, and executed a deed, by which she assigned the whole of her property to Mr. Hope Scott and Mr. Sergeant Bellasis for the benefit of the Oratory at Brompton. Lord Romilly decided, that Miss Thompson being under duress was not a free agent,

—I think we have had some illustrations of this hard by within the last few days—

> and that the Court would not use its control over the property, until it was satisfied that she had not been influenced by her vows in the disposal of it."

Now, when we find such a vast amount of property accumulating in the hands of the Roman Catholic hierarchy; when in our courts of law such cases as this appear; when we observe a systematic determination evinced to evade the provisions of the law which we have passed; when we are informed, that the system of enrolment is defective—and we are so informed by the Charity Commissioners; when it appears, that the Law of England is more relaxed, and unduly relaxed, to the detriment of the families of Englishmen, than the Law of Ireland, although that to a great extent is a Roman Catholic country; surely all this demands and requires careful investigation, and I am not unreasonable in asking the House to accede to my Motion for the appointment of a Committee to inquire into the subject. Were I to adopt another course, and move for Returns, I should be told that I was entailing upon the officers of the Rolls Court an undue amount of labour; and I know that that would be the case, owing to the confused manner in which the trusts are registered; and perhaps I should not have better success than I had upon the Address to Her Majesty requesting that directions be sent to those whose duty it was to afford information with regard to the registration of burials, and whose non-compliance with the Order of the House I have already adverted to. This matter, Sir, has many bearings. I cannot help thinking that this House in 1860, in its anxiety to meet the objections raised by the Roman Catholic Members of the House, adopted words, particularly in the fifth clause of the Act, which afford a loophole for the carrying out on the part of the Church of Rome, in defiance of the Law of Mortmain, a system, to which this country should no more submit than the Government of France or Italy, or any other Government in Europe. There is nothing new in these attempts on the part of the Roman Catholic hierarchy to accumulate this property. No doubt they consider it to be their duty to do so; but unfortunately in the process they bring themselves into collision with the temporal power in every State in Europe. Indeed it seems as if the doctrine they put forth on this subject were adverse to the common sense of mankind. Even our Roman Catholic ancestors resisted much more sternly and much more effectually than we do now all such attempts. If hon. Members would only look back at the statutes passed in the reigns of Edward I. and Richard II., through the dynasties of the Houses of Lancaster and York, centuries before the Reformation, they will find one perpetually renewed catena of statutes forbidding this abuse. In arguing, therefore, that we should take means to inform ourselves as to the operation of our own law, I do it for a purpose, which I have in common with the laity of the Roman Catholic Church in the past and in the present, and in every country in Europe. Look, for example, at what has happened in Italy. There, under the influence of the Papacy, the laws of mortmain were left unenforced, and the result was that such an amount of property accumulated in the hands of monasteries, not profitable to the State, that at last the time came, in 1850, when the Siccardi law was adopted, and I shall be prepared to show—["Oh!"]—though I do not wish to annoy any Members of the House, the enormous amount of property which the State has recovered for the benefit of the people. Not only was the law of 1850 carried out in 1855, but in the year 1861 another law was passed appropriating to the State a still larger portion, almost the whole of the remainder of the monastic and conventual property; not to be employed for the ordinary uses of the State, the purposes of defence or the requirements of commerce, but to provide for the education of the people. For one of the most remarkable circumstances in Italy was that, although there were thousands of priests who ought to have been the teachers of the people, there was no country in Europe in which the people were so untaught. In Italy, then, the State has, by a violent and convulsive effort, had to make up for its past neglect, a neglect of centuries, in not enforcing the law of mortmain against the undue accumulation of this property by the Roman Catholic Church; and after much pain and trouble, after placing itself in a position of hostility to the Church of Rome, and after being in an antagonism to it that has rocked society to its foundations, the time has come when this abuse of accumulating a large amount of property in the hands of those who do not use it for purposes which are profitable or beneficial to the community, has been put an end to. For, in their case, they did not teach the people; and I can show from statistics that ignorance prevailed most where the monasteries had the largest portion of the property in their possession; in fact, that in proportion to the accumulation of property in their hands did popular ignorance prevail. That was reported to the Italian Parliament, and now the State has resumed possession of the greater portion of the property. I need scarcely say any thing more to prove that the law of mortmain ought to be enforced as much against clerical bodies as against secular. Why, so jealous has the Legislature been on this subject that there is an Act in existence which prevents any lay corporation, associated for the purpose of promoting literature or the fine arts, from holding more than two acres of land, and the Board of Trade is bound to see that they do not acquire more. There is nothing peculiar, therefore, in the restriction. In feudal times the State found that the possession by monastic houses and conventual establishments of these enormous properties had the effect of depriving it of the services of its subjects, and of weakening the defence of the realm. And now, when a trust is created for religious or charitable uses, 10 per cent is charged at first under the succession duty; but never after that is any succession duty paid; whilst, if the property were held by individuals or a family, upon every devolution of the property that tax would be levied. Thus the property in mortmain pays 10 per cent once for all, and never pays again. The right hon. Gentleman the present Prime Minister appears to have felt this, for, two or three years since, he proposed to make charitable property liable to the income tax, although he was met with such opposition that he was obliged to abandon the proposal, Wherever this accumulation of property in mortmain has taken place, it has been found to be detrimental to the nation alike materially, financially, and morally; and, although I am unwilling to detain the House, I am desirous of showing why the House has reason to be careful. When the law of 1861 had passed in Italy, for this disposal of conventual and monastic property, Cardinal Antonelli issued a circular, in which he warned all purchasers and intending purchasers of that property, that where property had ever belonged to the Church of Rome, no adverse title would ever be acknowledged by the Church; against the acquisition of that property by any layman he proclaimed the doctrine *nullum tempus occurrit Ecclesiæ* to its full extent; and it was but the other day that Dr. Manning, the head of the Roman Catholic hierarchy in this country, was in Rome; and whilst at Rome, on St. Thomas's Day, he is reported by the *Weekly Register*, a Roman Catholic organ, to have said—

> "We are so used to hear the phrase of 'national property,' to hear sacrilegious spoliation spoken of as a matter of State necessity, that we have ceased to be shocked at it as we should. We forget that all that the piety of the faithful has laid at the feet of the Apostles belongs to God, and that no worldly hand can lawfully touch it."

Here, then, we have a distinct enunciation of the doctrine that *nullum tempus occurrit Ecclesiæ.* Therefore it behoves this House to see that the law is not tampered with; for if once property falls into the hands of the Church of Rome, that Church will never acknowledge a good title in any one to whom the State may transfer it. "We are so used to hear the phrase of 'national property,'" says Dr. Manning, "to hear sacrilegious spoliation spoken of as a matter of State necessity, that we have ceased to be shocked at it as we should." When I read this, I could not help feeling that it would have been well if Manning had bethought him of that opinion before he wrote his letter to Lord Grey, recommending the disendowment of the Protestant Church in Ireland. It appears to me, Sir, that the authorities of the Church of Rome will not accept in their own case the law which is applied to other religious denominations, or acknowledge in others the right which they claim for themselves. It is a spirit against which Parliament has ever had to struggle; and I hope that, by consenting to the appointment of this Committee, the House will inform itself whether the two statutes to which I have referred, and the consideration of which I propose, are not practically insufficient, if not a dead letter, for the purposes contemplated and intended by the Legislature.

Motion made, and Question put,

"That a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 134, being an Act to amend the Law regarding Roman Catholic Charities, and into that of any Acts passed subsequently to the passing of the above mentioned Act, which may or may have been held to modify or alter the operation of the above Act, or which relate to the subject matter thereof; and into the operation of the Act 52 Geo. 3, c. 146, and into that of the 27 and 28 Vic. c. 97, which Acts relate to the Registration of Burials."—(*Mr. Newdegate.*)

The House *divided*:—Ayes 46; Noes 85: Majority 39.

STANNARIES BILL.

LEAVE. FIRST READING.

MR. ST. AUBYN, in moving for leave to introduce a Bill for amending the Law relating to Mining Partnerships within the Stannaries of Devon and Cornwall, and to the Court of the Vice Warden of the Stannaries, said, the measure had not for its object to legislate for one part of the country in prejudice to the rest—it had reference to a state of things which existed in Devon and Cornwall alone, and nowhere else. It was not a penal or a restrictive Bill, but an enabling measure to bring the existing law into harmony with local circumstances, and to remove the restrictions which impaired the utility and hampered the jurisdiction of the Stannaries Court. That Court had a jurisdiction of two kinds—a common law and an equitable jurisdiction, and the Bill had reference chiefly to the latter. That equitable jurisdiction extended to all disputes arising out of mining transactions in Devon and Cornwall; mines worked on the cost-book system—as nearly all the mines in those counties were — being entirely under the control and regulation of the Stannaries Court. The House would, therefore, see of what vast importance it was to the mining interests of the West of England that the proceedings of a Court having so extensive and peculiar a jurisdiction should be rendered as cheap, as simple, and as expeditious as possible. The Bill had another object of equal if not greater importance, which was to bring the cost-book system to a certain extent within the general law which regulated public companies. The Acts of Parliament which regulated public companies in England did not apply to mines in Devon and Cornwall, inasmuch as these, being cost-book mines, were not in the nature of public companies, but were private partnerships, and by Section 63 of the Joint-Stock Companies Act of 1844 they were expressly excepted from the operation of that Act. The House would naturally desire to have some information as to the nature of the cost-book system, which was simply this—When it was determined to work a mine the adventurers assembled and divided the whole adventure into a certain number of shares, which they allotted as they thought proper, and then applied for a licence to search for ore, followed afterwards by a sett or lease. They appointed one person to act as manager, who kept what was called the "cost-book." In that book the manager entered the names of the shareholders, the resolutions passed at the meetings, the calls, dividends, and accounts, and generally everything relating to the management and engagements of the mine. The adventurers met at stated intervals—generally of two months—and proceeded to audit the accounts. If the adventure had been favourable, they declared dividends; if unfavourable, calls were made to meet the expenses incurred. The partners had the power of transferring or relinquishing their shares at pleasure, and without consulting their co-partners, and in the latter case the shares became extinct. From what he had said the House would see that mining adventures under the cost-book system were very different from trading partnerships on the one hand, or joint-stock companies on the other, for not only could the partners transfer and abandon their shares at pleasure, but the management of the undertaking was not invested in any Board of Directors, but was under the immediate and direct control of the whole body of adventurers. They also differed from joint-stock companies essentially in this respect, that the adventure alone was divided into shares, and that there was no money capital, subscribed or unsubscribed, on which calls could be made. The system was deficient in many respects. Calls were made at present only after a meeting of shareholders for auditing the accounts, and could be made only to meet expenses already incurred. It was proposed by this Bill to give the shareholders power, with certain restrictions, to make calls in anticipation of expenditure to be incurred. It had been held that accounts could be legally audited and calls consequently made only when a majority of the whole of the shareholders were present; and it very often appeared to be the interest of particular shareholders to prevent a full meeting from being held, and therefore they stopped away themselves and induced others to do so. It was proposed in this Bill to give the majority of the shareholders present at a meeting, either in person or by proxy, power to audit the accounts, and make a call should they think it desirable. A call at present was nothing more than an agreement among the shareholders to pay, and there was no power to enforce payment except on application to the Stannaries Court, which might give authority to sell the share. It was proposed by the Bill to give the shareholders the same authority of declaring the shares of a defaulter forfeited as was possessed at present by joint-stock companies, and, further, a power to bring an action at law against a person whose liability might not be satisfied by the sale of his shares, or for any claim on him by the company. It was in the power of any adventurer at present entirely to relinquish his share, and in that case the share became dead or extinct. The Bill proposed that it should be kept alive, and that it should be in the power of the rest of the shareholders to sell or dispose of the share in the same manner as a forfeited share in a joint-stock company. There was also an important provision with regard to the sale of a mine. At present the majority of the adventurers had power to sell the material of a mine, but it required the consent of every single shareholder to sell the lease. There were sometimes 5,000 or 6,000 shares in a mine, some of whom might be in the name of infants, trustees, lunatics, or residents abroad, and that provision practically operated as a perfect bar towards making a good title to a mine. It was therefore proposed by this Bill that, under certain careful restrictions, a majority of three-fourths of the adventurers being present at a meeting specially assembled should have power to sell the whole mine, lease and all. He believed that if that power had existed, many mines in Cornwall which within the last few years had been stopped would now be working. Another important provision of the Bill related to the winding up of mining properties. It was proposed that, in case of the bankruptcy or failure of a mine, the miners, clerks, and others employed about the mine should have priority of claim for wages, &c., to the amount of not exceeding three months' salary. It was also proposed to limit the liability of shareholders for the debts of a mine, which at present extended to all debts incurred by the mine within six years, to liability for debts contracted within two years previous to the shareholders' name being removed from the cost-book. There were certain other provisions of minor importance in the first part of the Bill, and the second part of the measure related entirely to the interior working of the Court of the Vice Warden of the Stannaries. In Cornwall they did not possess, within their narrow limits, the capital necessary to develope the vast mineral wealth existing below the surface; and it was the interest of all classes there, of the lords of the soil, the merchants who supplied the materials of the mines, and the working miners, to induce capital from other sources to flow towards them, not by holding out illegitimate attractions, but by offering that common security against fraud and dishonesty which it met with elsewhere. This measure had this object in view, and such were the principal provisions of the Bill, which had been framed with a view to carry out the unanimous wishes of the whole district to which it applied. It had been drawn up, not in haste, but after the most careful and elaborate discussion at general and other meetings, and it was conceived in an honest and fair spirit, which he hoped would recommend it to the favour of the House. The hon. Member concluded by moving for leave to bring in the Bill.

THE ATTORNEY GENERAL said, the law relating to mines, which had been explained by the hon. Gentleman with great clearness, was attended with a great deal of intricacy, and might be simplified with great advantage. Many of the provisions proposed in this Bill were considerable improvements in the Law, so far as he had been able to follow them in the hon. Gentleman's speech, and though it would be premature to express an opinion until they had the Bill itself before them, there could be no possible objection to the introduction of the measure, to the main part of which he was inclined to think they would be disposed to agree when it reached a further stage.

Motion *agreed to*.

Bill for amending the Law relating to Mining Partnerships within the Stannaries of Devon and Cornwall, and to the Court of the Vice Warden of the Stannaries, *ordered* to be brought in by Mr. ST. AUBYN, Mr. PENDARVES VIVIAN, Mr. BRYDGES WILLYAMS, and Mr. KEKEWICH.

Bill *presented*, and read the first time. [Bill 24.]

BEERHOUSES, &c.

COMMITTEE.

Acts read; *considered* in Committee.

(In the Committee.)

MR. SELWIN-IBBETSON, in rising to propose that the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law for Licensing Beerhouses, and to make certain alterations with respect to the sale by retail of Beer, Cider, and Wine, said, that, as he understood there would be no objection offered to the introduction of the measure, he would not then attempt to state the reasons which led him to bring it forward, or adduce the arguments by which he hoped at a future stage to justify his having done so. He might, however, remark that the importance of that question to the social well-being of the country could hardly be exaggerated; and he hoped to be able on the second reading to show that the remedy he proposed would, in some way, meet the evils complained of. The hon. Gentleman concluded by making his Motion.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law for Licensing Beerhouses, and to make certain alterations with respect to the sale by retail of Beer, Cider, and Wine.

Resolution *reported*: — Bill *ordered* to be brought in by Mr. SELWIN-IBBETSON, Mr. AKROYD, and Mr. HEADLAM.

Bill *presented*, and read the first time. [Bill 22.]

SEA BIRDS PRESERVATION BILL.

LEAVE.

MR. SYKES, in moving for leave to introduce a Bill for the Preservation of Sea Birds, said, it was with much diffidence that he presumed to bring before the notice of the House a measure which sought to give some legislative protection to those sea birds which still remained on our English coasts. The Bill was not only framed in accordance with the strongly-expressed feeling of almost every class of his constituency (East Riding of Yorkshire), but from the numerous letters he had received from all parts of England, evincing the warmest sympathy with its objects, he was led to regard it as one of almost national interest. The sea birds of England were rapidly disappearing from our coasts. That fact had been established at the last annual meeting of the British Association. From Northumberland, Durham, Yorkshire, Norfolk, Devonshire, Cornwall, and Pembrokeshire, the same cry arose. His Bill aimed at protecting those sea birds during the breeding season; and there was a very important precedent for it in a rigid statute passed in the 25th year of the reign of Henry VIII., protecting sea birds at that very season. The grounds on which he brought the measure forward were no mere sentimental or humanitarian grounds, though these were strong enough. He did so in the interest of three very important classes of his constituents, for important they must be to every Member of a sea-board county; he meant the farmers, the merchant seamen, and the deep-sea fishers. A few years ago, the farmers of the East Riding of Yorkshire—not merely those residing in the immediate vicinity of the coast, but as far as twenty miles inland—were accustomed to see flocks of sea birds following at the heels of the ploughboy and from the newly turned-up earth picking up worms and grubs. But he held in his hand a letter from an influential farmer living in the parish of Filey, within a mile of the coast, stating that last summer he did not see a single bird on his farm. He appealed to the House also in the interest of our merchant sailors, for in foggy weather those birds, by their cry, afforded warning of the proximity of a rocky shore, when neither a beacon-light could be seen nor a signal-gun heard. He held in his hand a paper proving that with the decrease of those birds the number of vessels which had gone ashore at Flamborough Head had steadily increased. For the services they rendered to the mariner those birds had earned for themselves the name of the "Flamborough pilots." He appealed to the House, likewise, in the interest of the deep-sea fishers, because, by hovering over the shoals of fish, those birds pointed out the places where the fisherman should cast his net. On that ground alone the Legislature of the Isle of Man had lately passed an Act imposing a penalty of £5 on every man who wilfully killed or destroyed a seagull. Lastly, he made his appeal even in the interest of those thoughtless pleasure-seekers themselves who flocked to the coast in the summer months, chiefly from the populous towns of the West Riding of Yorkshire and of Lancashire. Those persons would have themselves to blame if, in a few years, they found that those rocks, which he once remembered as teeming with wild fowl, had become a silent wilderness. In conclusion, he hoped that the importance of the Bill which he moved for leave to introduce would not be overlooked through the insignificance of its advocate.

Motion *agreed to.*

Bill for the Preservation of Sea Birds, *ordered* to be brought in by Mr. SYKES, Mr. CLAY, and Mr. WARD JACKSON.

LAW OF EVIDENCE BILL.

LEAVE. FIRST READING.

MR. DENMAN, in moving for leave to bring in a Bill for the further amendment of the Law of Evidence, said, the measure sought to carry out to their legitimate conclusion two great principles—the first being that there should be no incapacity of persons as witnesses merely from their having an interest in the case, and the second, that parties should not be deprived of the evidence of witnesses through some defect in the religious belief of such witnesses.

Motion *agreed to.*

Bill for the further amendment of the Law of Evidence, *ordered* to be brought in by Mr. DENMAN, Mr. LOCKE KING, and Mr. LOCKE.

Bill *presented,* and read the first time. [Bill 25.]

COURT OF COMMON PLEAS (COUNTY PALATINE OF LANCASTER) BILL.

On Motion of Mr. WEST, Bill to authorise the appointment of District Prothonotaries of the Court of Common Pleas of the County Palatine of Lancaster, and to provide for the better despatch of business therein, *ordered* to be brought in by Mr. WEST, Mr. BAZLEY, and Mr. DAVISON.

Bill *presented,* and read the first time. [Bill 26.]

House adjourned at half after
Eight o'clock till
Monday next.

HOUSE OF LORDS,

Monday, 1st March, 1869.

The House met; and having gone through the Business on the Paper—

House adjourned at Four o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, 1st March, 1869.

MINUTES.]—New Members Sworn—Marquess of Hartington, *for* New Radnor; Charles Paul Phipps, esq., *for* Westbury.

Select Committee—Public Accounts, *nominated.*

Public Bills—*Resolution in Committee*—Established Church (Ireland).

Ordered—*First Reading*—Established Church (Ireland) [27]; Sale of Liquors on Sunday (Ireland)* [29]; Metropolitan Commons Supplemental* [30]; Inclosure of Lands* [31].

RATING OF MINES.—QUESTION.

Mr. ST. AUBYN said, he would beg to ask the President of the Poor Law Board, Whether it is his intention to introduce a Bill, during the present Session, to provide for the assessment of Metalliferous Mines to the Poor Rate and other local rates?

Mr. GOSCHEN, in reply, said, a Bill of that kind was under consideration; but it was doubtful whether the pressure of Business would allow the Government to introduce it to the House this Session.

THE HERNE BAY OYSTER GROUNDS.

QUESTION.

Mr. PEMBERTON said, he would beg to ask the President of the Board of Trade, Whether it is true that H. M. S. the *Buzzard* was recently ordered to Herne Bay by the Admiralty, acting under the advice of the President, for the purpose of protecting the Herne Bay Oyster Company from a threatened attack by some fishermen upon their Oyster Grounds, such Grounds being declared by the Company's Act to be within the county of Kent for the purpose of trying and punishing all offences committed against them; and upon whose representation, and founded upon what evidence, such attack was apprehended; whether it is the intention of the President generally to advise the Admiralty to employ Her Majesty's Ships to act as Marine Police in protecting Fisheries in lieu of the local authorities; and, to ask the First Lord of the Admiralty, whether it is the fact that, owing to the want of depth of water off that coast, the soundings of which are shown on the Admiralty chart, H. M. S. *Buzzard* could not get within four or five miles of the Oyster Grounds in question; and whether there is any objection to lay upon the Table of the House a Copy of the Orders under which the Commander of the *Buzzard* proceeded to Herne Bay, and whether the Commander has made any report to the Admiralty of his expedition, and, if so, whether there is any objection to produce it; and what will be the probable cost of the voyage?

Mr. BRIGHT said, the circumstances referred to were quite unknown to him until he saw them stated in the Notice Paper. The facts were that Mr. Pennell, Inspector of Oyster Fisheries, made a Report to the Board of Trade that what was called a raid might be expected on the oyster fisheries, upon which the Company had spent more than £100,000, under an Act of Parliament; and, his statement having been confirmed by other evidence, the case was reported to the Admiralty, with a request that the Admiralty would see the outrage was not committed. But he understood that not long ago—indeed, he was not sure whether at this moment there was not a gunboat in the Frith of Forth, employed in protecting some fisheries of which the Duke of Buccleuch was the proprietor either partially or wholly. As for the future, it was impossible to state any precise rule; each case must be dealt with as it arose.

Mr. CHILDERS, replying to the second portion of the Question, said, there was not sufficient water to allow the *Buzzard* to approach very near the coast, and that was duly reported to the Admiralty. He would gladly show the hon. Member all the Papers in the case, if he would call at the Admiralty; and he would then be able to form an opinion whether they were worth printing. As to the question of cost, the *Buzzard* used about thirteen tons of coal from the time she left Sheerness for Herne Bay till she returned to port; and the coal cost about 18*s*. a ton. He was in communication with the Home Office respecting the circumstances under which vessels of war ought to be sent to protect individual fisheries in English waters against intruders.

JUDGMENTS ON ELECTION PETITIONS.

QUESTION.

Mr. VERNON HARCOURT said, he would beg to ask the Secretary of State for the Home Department, Whether he has any objection to lay upon the Table of the House, Copies of the Judgments from time to time delivered by the Judges appointed to try Election Petitions, setting forth the grounds of the Certificates and Reports presented to this House in the case of such Petitions, in order that Members of this House may have authoritative information of the existing state of the Law as judicially declared with respect to Corrupt Practices at Elections; and, whether Her Majesty's Government will be prepared to introduce a Bill for the further amendment of the Laws relating to Corrupt Practices at Elections?

MR. BRUCE said, the judgments were not in the possession of the Home Secretary, nor under the authority of the Home Office; he was therefore unable to order the production of the documents in question. Under the Act, a reporter from the House of Commons was ordered to attend and take down the evidence given at each trial of an Election Petition, but no directions had been given with regard to the judgments, and he was not aware whether any authentic record of them existed. With respect to the latter portion of the Question, the course the Government intended taking was indicated by the Notice of Motion he had given a few minutes before.

POOR LAW—PAYMENT OF RATES BY OWNERS.

QUESTION.

MR. LIDDELL said, he would beg to ask the President of the Poor Law Board, Whether there is any legal limit to the amount of indemnity which overseers are apparently empowered to allow to owners of house property for the risk and inconvenience incurred by them in undertaking, by agreement with their tenants, the payment of rates due in respect of such property; if so, what is such limit, and by what Statute or Statutes is such limit fixed?

MR. GOSCHEN, in reply, said, that the overseers were not entitled to allow any indemnity to owners, for the risk of undertaking the payment of rates. Where the owners were allowed a reduction in their assessments in consequence of such an undertaking, the arrangement was entered into by a connivance between the parties, but that arrangement was not legal. There was no legal indemnity in Parliamentary boroughs, but beyond the Parliamentary boroughs there is power given to the overseers when the Small Tenements Act is adopted to indemnify them to the extent of 25 per cent of the liability imposed upon the landlords, and 25 per cent additional in cases where they compounded for empty houses.

ARMY—CARTRIDGE MAKING.

QUESTION.

COLONEL SYKES said, he would beg to ask the Secretary of State for War, On what grounds he refuses to permit the invention of Mr. Groundwater for the re-adaptation of used musket cartridge cases to be tested, so as to ascertain whether or no a considerable saving might not be effected in the consumption of cartridges; and, if it be not the fact that the machinery used by the Government is adapted only for the original construction of the cartridge case, and not for its re-adaptation for service?

MR. CARDWELL, in reply, said, the Director General of Ordnance was perfectly satisfied with the machinery at present in use, by which a large number of cartridge cases had already been re-adapted.

METROPOLIS — OPEN SPACES OF ST. JAMES'S PARK.—QUESTION.

SIR HENRY HOARE said, he would beg to ask the First Commissioner of Works, Whether he intends taking any steps to restore and preserve the grass in the open spaces of St. James's Park, and otherwise to improve its condition; and, whether, in his opinion, the guardianship and supervision of the Park might not be rendered more efficient, with the view to prevent its being the resort of vagrants, paupers, and criminals?

MR. LAYARD, in reply, said, that steps were taken to preserve and renew the grass; but, as his hon. Friend was aware, it was very difficult to keep it in order, as a large number of poor people resorted to the Park during the summer, and derived great enjoyment from sitting on the grass—an enjoyment which he (Mr. Layard) would be the last to wish to curtail. The Parks would this year, for the first time, be placed under the supervision of the police, who would endeavour to keep out improper characters; but, as his hon. Friend was aware, it was not always possible to detect a criminal by his dress.

THE SHRIEVALTIES OF YORKSHIRE AND LANCASHIRE.—QUESTION.

MR. GATHORNE HARDY said, he would beg to ask the Under Secretary of State for the Home Department, Whether any Bill will be introduced, during the Session, to divide the shrievalties of Yorkshire and Lancashire or either of those counties?

MR. KNATCHBULL - HUGESSEN, in reply, said, a Bill had been prepared for dividing the shrievalty of Yorkshire; but the question of doing the same for Lancashire having been raised, it was thought better to defer the introduction of the Bill until it should be decided whether it was desirable that it should be made applicable to both counties.

CONVEYANCE OF FEVER PATIENTS.

QUESTION.

CAPTAIN DAWSON-DAMER said, he would beg to ask the Secretary of State for the Home Department, Whether there is any legislative provision that all fever patients should be conveyed to all fever hospitals in carriages provided for that purpose by the hospitals?

MR. BRUCE, in reply, said, that the use of such carriages was not compulsory; but that by the Sanitary Act of 1866 nuisance authorities might provide and maintain carriages for the conveyance of fever patients.

RATING OF WOODS.—QUESTION.

MR. KEKEWICH said, he would beg to ask the President of the Poor Law Board, Whether he proposes to introduce any measure, during the present Session, on the subject of rating woods not being saleable underwoods?

MR. GOSCHEN, in reply, said, the question was under consideration, but as in the case of metalliferous mines, he doubted whether the business of the Session would allow legislation on the subject.

METROPOLIS LOCAL MANAGEMENT ACT.—QUESTION.

MR. LOCKE said, he would beg to ask the Under Secretary of State for the Home Department, Why certain Returns connected with the Metropolis Local Management Act, moved for and granted on the 3rd of April, 1868, have not yet been presented?

MR. KNATCHBULL - HUGESSEN, in reply, said, the Returns related to local taxation in the metropolis, and the reason of the delay was the non-return of answers to the inquiries of the Home Office from some of the local authorities. Part of the information asked for was already contained in Returns before the House, and still more would be seen in a comprehensive Return, moved for by the late Chancellor of the Exchequer, at the close of the last Session. He would communicate with the hon. Member, and take steps to obtain, with as little delay as possible, such of the desired information as was not already before Parliament.

ECCLESIASTICAL TITLES ACT REPEAL BILL.—QUESTION.

MR. WALPOLE said, that the second reading of this Bill stood nominally for Thursday next, but he believed it was put down for that day merely with a view to fix the time when the second reading would in reality be taken. He wished to know, Whether the hon. Member for Meath had fixed on the day when it would come on?

MR. MAC EVOY, in reply, said, he did not propose to take the second reading before Easter.

ESTABLISHED CHURCH (IRELAND).

COMMITTEE.

Acts 39 and 40 Geo. 3, c. 67, 3 and 4 Will. 4, c. 37, 1 and 2 Vic. c. 109, 35 Geo. 3, c. 21 (Ireland), 40 Geo. 3, c. 85 (Ireland), 8 and 9 Vic. c. 25, and Resolution [7th May 1868] relative to the Established Church (Ireland) read, and *considered* in Committee.

(In the Committee.)

MR. GLADSTONE: The Motion, Sir, which, in concluding, I shall propose to the Committee is—

> "That the Chairman be directed to move the House, that leave be given to bring in a Bill to put an end to the Establishment of the Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth."

I do not know, Sir, whether I should be accurate in describing the subject of this Resolution as the most grave and arduous work of legislation that ever has been laid before the House of Commons; but I am quite sure I should speak the truth if I confined myself to asserting that there has probably been no occasion when the disproportion was so great between the demands of the subject that is to be brought before you and the powers of the person whose duty it is to submit it. I will not, however, Sir, waste time in apologies that may be considered futile, and the more so because I am conscious that the field I have to traverse is a very wide one, and that nothing but the patient favour and kindness of the Committee can enable me in any degree to attain the end I have in view—namely, that of submitting with fulness and with clearness both the principles and the details of a measure which, as far as regards its principles, is singularly arduous, and, as far as regards its details, must necessarily embrace matter of a character highly complex and diverse. Now, I cannot but be aware that, under ordinary circumstances, any one who undertakes to introduce to the House of Commons a subject of grave constitutional change ought to commence by laying his ground strongly and broadly in historical and political reasons. On this occasion I shall feel myself in the main dispensed from entering upon them. Under ordinary circumstances, in discussing the subject of the Church of Ireland — I mean had nothing already occurred in this House or elsewhere in relation to it on which I might take my stand—I should endeavour to pass in review the numerous—I may say the numberless and powerful arguments which, in my opinion, may be adduced to prove that this Establishment cannot continue to exist with advantage to itself or without mischief to the country. I should be prepared to show how many benefices there are in Ireland where, although there is a Church population, it can hardly be said to be more than an official Church population, for the members of those benefices are too often restricted to those whom we may reasonably suppose to be supplied by the families of the clergyman, the clerk, and the sexton. I should show, Sir, how buttresses have been devised for the maintenance of this extraordinary system, in the shape of those grants from the Consolidated Fund in this country, on the one hand to the Presbyterians under the form of the *Regium Donum*, and on the other hand to the Roman Catholics under the form of the Maynooth Grant, without which it was felt that the maintenance of such an Establishment in Ireland would be intolerable and impossible. I should endeavour to show how Parliament had been so conscious of the difficulties attending the position which it has held, that it has actually been reduced upon more than one occasion to waste away, by positive provisions of legislation, the property of the Church, in order that its magnitude, compared with the duties, might not too much shock the public mind. I should endeavour to show how, in past times, and through all the evil years of the penal legislation that has affected Ireland, the authorities of this Established Church have, unfortunately, stood in the foremost rank with respect to the enactment of those laws on which we cannot look back without shame and sorrow.

Sir, of the Established Church in Ireland I will only say that, although I believe its spirit to have undergone an immense change since those evil times, yet, unfortunately, it still remains, if not the home and the refuge, yet the token and the symbol of ascendancy, and, so long as that Establishment lives, painful and bitter memories of ascendancy can never be effaced. But, Sir, instead of lengthened discussion upon this and kindred topics, I hope I shall be sufficiently justified in passing at once to the measure of the Government by a reference to recent occurrences. In form, without doubt, this is the first—the very first stage of a great political measure, liable and open at every point to controversy; but in substance we cannot dismiss from our view that we are virtually taking up, and are bound to prosecute, the unfinished labours of last year. I refer, Sir, to those debates which formed the main, almost the only, subject of party difference in the discussions of this House during the Session of 1868. I refer to the large majority which, in a House of Commons undoubtedly Conservative in its general spirit, affirmed, notwithstanding, the necessity of bringing the system of religious Establishment in Ireland to a close. I refer to the autumn spent in incessant discussions of this subject before every constituency in the country. I refer to the Elections in which the issue so clearly put was not less decisively answered. And lastly, but not least, I refer to that resignation of the late Administration on which I have not to pronounce one word of censure, but about which I am sure I am justified in stating that it was an unusual course. I have not one word of censure to utter; but assuredly I am justified in saying that it forms the most emphatic testimony to the character of that judgment which has already been pronounced by the representatives and by the people of the Three Kingdoms. Nor shall I dwell in any detail upon the counter-arguments which have been ably, sincerely, and persistently used in defence of the Established Church. If I name them, it is to do little more than to say that we are responsible for this measure, and we, who on this side are pledged to its general principles, shall be ready upon every due occasion, with all respect to those who oppose us, to meet those counter-arguments. It is said that the measure we are about to introduce will be adverse to religion. I believe it to be favourable to religion, and to be essential to the maintenance of those principles of right on which every religion must rest. We shall be told, more especially, that it is adverse to the interests of Protestantism; but we shall point to the condition of Ireland, and shall argue from the facts of that condition that the interests of Protestantism have not been promoted, but, on the contrary, have been injured by our perseverance in a system which reason does not justify. We shall be told, perhaps, that we are invading the rights of property. No possible confidence can be greater than that with which we shall meet that argument. On former occasions, indeed, things have been done by Parliament, under the extreme pressure of the case, which it may be difficult to reconcile with the extreme assertion of the rights of property. There are clauses—and important clauses—of the Church Temporalities Act of 1833 which greatly strain the abstract theory of the rights of property, and which I, for one, am totally unable to reconcile with its general rules. But so far as I know there is no imputation that can fairly be made against the measure we propose with respect to the rights of property by any other persons than those who hold what appears to me the untenable—I may even say the extravagant—doctrine that although Parliament has a perfect right to direct the course of the descent of property in the case of natural descent, lineage by blood, yet it has no right,

when once the artificial existence of what we call a corporation has been created, to control the existence of that corporation or to extinguish it even under the gravest public exigency. Well, we shall be told also of the Act of Union; and I cannot, nor shall I attempt to, dissemble that on a point which has been described as essential we propose to alter that Act. The Act of Union has been altered on other occasions, though never for so grave a cause as this; but we shall confidently contend that while we are altering this particular provision of the Act of Union, we are confirming its general purport and substance, and labouring, to the best of our humble ability, to give it those roots which unfortunately it has never yet adequately struck in the heart and affections of the people. And lastly, Sir, this claim I, for one, confidently—boldly make on behalf of the measure that we are introducing—I say we are giving effect to the spirit of a former policy. The great Minister who proposed the Act of Union neither said nor believed that it would be possible, under a legislative Union, to maintain the system of religious inequality which he found subsisting in Ireland. On the contrary, he has left upon record his strong conviction that the countenance and support afforded from national sources to the Established Church must be extended to the other religions of the country. I admit that we pursue religious equality by means different from those proposed by Mr. Pitt—[Mr. NEWDEGATE: Hear, hear!]—but by means, as I believe, better suited to the purpose we have in view, and certainly more consonant to the spirit, to the opportunities, and to the possibilities of the times in which we live. Be that, however, as it may, and with all that allowance for difference of means, the end we have in view is the same, and for that end we are entitled to quote the great authority of Mr. Pitt, and the authority of many of those who have followed him in their public career.

Sir, having referred to what I venture to call—although not in any technical or formal sense—the previous stages of this measure, I will briefly remind the Committee of the character of the general declarations by which the late House of Commons was moved to action, and of those pledges—for I do not hesitate to recognize them as such to the country—which we are now called upon to do our best to redeem. I think, Sir, it was well understood to be the view of those who supported the Resolutions of last year that the system of Church Establishment in Ireland must be brought thoroughly and completely to a close—that although the word "disendowment" was never embodied in any Resolution of this House, nor, so far as I recollect, was ever accepted without qualification in the speeches of those who most prominently supported the proposed Resolutions, yet, as a general rule, and for every substantial purpose and effect, an end must likewise be put to the system of the public endowment of religion in Ireland. While the principles of the measure were laid thus broad and deep, it was likewise professed, and I think, to a great degree, accepted by the House, that in all the details, in all the modes of application, the rules not only of justice, but of equity, and not only of equity, but, within every reasonable limit, even of indulgence, should be followed. And while the measure was thus to be thorough and thus to be liberal, there were two other great characteristics which, in order fully to realize the desire we entertain, it ought to possess. The first of these, Sir, is, in my judgment, that the measure ought to be prompt in its operation; for it is not for the interest of those with whom we deal any more than it is for the interest of the country that—I will not say the Irish Church, but—the Irish Establishment should be subjected to the pain of a lingering death. That promptitude of operation cannot be absolute; it must necessarily be checked by considerations arising out of the vested interests with which we have to deal. But yet, subject to those rules of right and of prudence, it is an object which we ought to have in view in the prosecution of our work. And, lastly, Sir, there is another characteristic which, perhaps, has hardly yet been mentioned in debate, but which appears to me second to none in its importance as determining the value of the provisions of a measure such as this. It is, that the legislation which we now propose, so far as the Irish Church is concerned, so far as the subjects of religious controversy growing out of legislative establishment in the sister island are concerned, shall be final legislation; that it shall put away, out of sight, out of hearing, out of mind if it may be, this long-continued controversy—a controversy almost of generations; and that even should it necessarily happen, as commonly happens in the train of great statutes, that in this or that point of detail it may require to be either developed or amended, yet the Bill which we propose shall leave no question of principle unsolved, and shall permit every man who takes part in its discussion to hope that when it finally departs from within the walls of Parliament we shall have heard the very last and latest of the controversy on the Irish Church. Subject, then, to those great principles, it is our duty—and I am sure it will be recognized to be our duty—to seek every means of softening the transition that is about to be effected. We must not disguise from ourselves that we are calling upon persons, upon large classes, upon individuals entitled to great respect, to undergo a great change in their position under the direct action of law. And every motive that can appeal to the feelings of men of honour and of gentlemen must lead us, I think, to feel it a duty so to proceed that this measure shall carry with it no unnecessary penalty or pain.

Sir, I am bound to say that I think many of those who may be expected and considered to take a special interest in this measure have given us in this respect much encouragement. There are many eminent persons in Ireland connected with the Church who have shown a great disposition to meet us in the fair field of discussion, to recognize the judgment which has been pronounced at the tribunal of the nation, and to endeavour to arrive at a just and equitable settlement. Nay more, even upon that Episcopal Bench of England, from which oftentimes no sounds but those of persistent resistance have proceeded, there have been signs upon very recent occasions of a sense that it is their duty to look to the future interests of the Church as well as of the Establishment—of the religion as well as of the property with which it is endowed. And those counsels of moderation, which impose on us corresponding obligations, are likely to prevail, as we may hope, in those quarters during the coming discussions. In Ireland it has, indeed, been left only to one single Prelate—the Bishop of Down—among the Episcopal Order boldly to take his stand on behalf of the principle of settlement and accommodation; but yet I cannot but hope and believe that there are many, even among his episcopal brethren, who are by no means disposed to prolong this hopeless struggle or to make demands upon Parliament, as terms of surrender, which it would be impossible for Parliament to grant.

And now, Sir, I think I may say that I will not trouble the Committee further upon general considerations connected with this measure, but will at once proceed to use the best efforts in my power to convey its character and all its leading provisions to the minds of the Committee as nearly as I can in the same light and in the same form as they present themselves to the minds of the Government. And I think, Sir, searching for a key by which I may suggest to the Gentlemen who hear me the best and most likely method of clearly apprehending the nature of the provisions of the Bill which I now hold in my hand, I will venture to direct their attention to the points of time—not, indeed, to all the points of time, because some points of time have of necessity been chosen for secondary and minor purposes—but to the three which I may call essential points of time with reference to which I will endeavour to state the provisions and operation of the Bill so that the Committee may have, as far as depends upon me, a clear understanding of the manner in which we shall endeavour to give effect to the judgment of Parliament and of the country. The first of these points of time, Sir, is the passing of the Act, and I will first describe such of the effects of the Act as are to ensue either immediately upon its passing, or in the provisional and preparatory period which will immediately follow its passing. The second of these points of time is a day named in the Act. At present it stands the 1st of January, 1871, affording an interval between the passing of the Act—should it, as I trust it will, become law during the present Session—of about eighteen months or something less for the preparatory arrangements; but with regard to that day I will presume to say that, while we believe it is distinctly for the interest of the Church itself that this intermediate period should not be too long, and while it is the absolute limit of time which we have thought the best, yet it does not constitute a point of the measure to which, in case the limit is found to be too narrow, we should think ourselves irrevocably pledged. The 1st of January, 1871, therefore, constitutes the second point of time. The third point of time is one which we cannot define as a particular date, but I can describe it by stating the events which will bring it about. It is the point of time at which it shall be decided by the proper authorities that all the subsidiary arrangements connected with the winding up of the Establishment of the Irish Church have been completed, and that thenceforth nothing remains to be done except to apply the property of the Irish Church which will then have discharged every prior claim upon it, and will remain free for the purposes which Parliament may think fit to indicate.

Begging the Committee to bear in mind these three points of time, I will now proceed to describe that portion of the effects of the measure which will follow immediately upon the passing of the Bill. It is provided in almost the earliest clauses that the present Ecclesiastical Commission, which was appointed for the purpose of administering the Church Establishment and not for the purpose of bringing it to an end, shall be wound up. In lieu of it new Commissioners will be appointed, whose names we shall, at a proper time, propose and insert in the Bill. We think very highly of the responsibility of their functions, and are very desirous that the men who may be proposed to discharge those functions should be men to whom Parliament shall have already, for the purposes of the measure, given its general approval. We shall propose that this Commission shall endure for ten years, estimating, as far as present circumstances permit us to do, that this will be a term ample and sufficient for all the numerous and diversified purposes they will have to prosecute. In this Commission, upon the passing of the Bill, the entire property of the Church in Ireland will vest, subject to life interests. The Committee will at once see the importance of that enactment. As far as legal and technical disendowment is concerned, it will have occurred on the day when the measure has received the Royal Assent, because there will no longer remain in the Church of Ireland any title whatever to its property other than that of the Commissioners and other than those temporary titles which we propose that Parliament should recognize. And all the subsequent arrangements which may be found necessary connected with fabrics or with any other points of the question will be technically in the nature of a re-endowment, and will be brought by me separately under your consideration. Then, Sir, next to the vesting of the property I have to mention the provision we propose to make for the government and management of the Church during this intermediate period. Last year we proposed and passed through this House a Bill which suspended every appointment in Ireland from the day of its falling vacant, and we trusted entirely to collateral and subsidiary provisions of the law to make a supply for the time being of such assistance as might be necessary for the actual discharge of duties until Parliament should give its further judgment. Now, Sir, it appears to be plain on the one hand that those provisions which I think were very well adapted to the object we had in view last year of reserving the whole matter for the further judgment of Parliament are not so well adapted to the purpose we now have in view—that is, to apply definitive legislation to the determination of the whole question. On the other hand, it appears to us to be equally indisputable that there is one thing which we could not consistently or properly allow to be done during this intermediate period. We could not properly allow from the passing of the Act the creation of new vested interests for life. We have therefore endeavoured to steer as fairly as we can between these difficulties; on the one side proposing not to be parties to the creation of new vested interests, which I think every one will see would from our point of view be highly inconsistent, and on the other side being equally anxious that the Irish Church, at a period when all its Ministers and members will be called upon to exert themselves to the utmost in preparing for the future, should not be subjected to the disadvantage of a crippled ecclesiastical organization. What we, therefore, propose is, that appointments may be made, generally speaking, to the spiritual offices without investing the person invested with a freehold; that he may receive during the interval the income, as nearly as it can be calculated, which he would have received if he had taken the freehold in the ordinary course, but that his title to it shall terminate when the provisional period is at an end, and when the links which connect the Establishment with the State are finally broken. With respect, in particular, to episcopal appointments, the provision we propose is as follows:—We think it very desirable after once the statute shall have passed for disestablishing the Church to separate the Crown from the exercise of its old Prerogative within the Church. We therefore propose that episcopal appointments may be made by the Crown, but only on the prayer of the Bishops themselves of the provinces of Ireland to consecrate a particular person to a vacancy. Such appointment, if made, will carry with it no vested interest, nor would it carry with it any right of peerage. The Irish Church being engaged in perfecting its organization for the future will probably not run the risk of having its sees and rectories vacant, but will have, so to speak, a staff fully adequate to deal with the coming contingency. With respect to the exercise of Crown patronage as to livings, our view is this, while we take it for granted that, at any rate as a general rule, these livings would be filled up in the interval, they would be filled up on the same footing as bishoprics. In regard to the temporalities, the disposition of the present Advisers of the Crown in making appointments wherever they have by law a right of patronage would be to be guided within the limits of reason by the advice and recommendation of the ecclesiastical authorities. I think that is all I need say as regards the intermediate system that we shall now propose in lieu of the suspensory clauses of the Bill of last year, except that in one point they would correspond more strictly with the provisions of the Bill—namely, in this, that the Commissioners would be inhibited from laying out money for permanent purposes, such as the building of new churches during the interval, and would only be authorized to expend money for the purpose of substantial repairs, for the fulfilment of engagements actually entered into, and for the necessary charges for the performance of Divine worship in the same manner as heretofore. So much for the scheme in relation to suspensory clauses.

The next important enactment which will take effect immediately on the passing of the Bill is this. It is well known to the Committee that certain disabilities affect the collective action of the clergy in Ireland, and although the Convocations of England sit and have just been sitting, yet it is not in their power to proceed to either to pass, or even to discuss with a view to passing, any canon or regulation in the nature of a canon without the assent of the Crown. In Ireland the case is different, and more adverse to the action of the Church, for there the Convocation has in point of fact never acted at all, excepting upon some very few occasions which may be specially pointed out, and the latest of those occasions, if I remember right, was a century and a half if not fully two centuries ago. But besides the total disuse of that ecclesiastical machinery and the difficulty in which the Crown is placed when it is called upon to revive or be a party to the revival of that which has never worked at all for 200 years, and with respect to the working rules of which there are, even among lawyers, very grave doubts, there are in Ireland special provisions of the law called the Convention Act, which, though passed for purely political purposes, has the effect of preventing the clergy and laity of the Church from meeting in any general assembly. It is understood, I believe, that the clergy and laity of a parish may meet, but that the Church at large is incapacitated from meeting.

Now, it will, I presume, be deemed on both sides of the House to be obviously just and necessary that all disabilities whatsoever, which in any manner fetter the action of the Church with reference to legislation for the future—and when I speak of legislation I mean private legislation with respect to making voluntary contracts and regulations—ought, in passing a Disestablishment Act, to be at once and entirely swept away. When I say that, let it not be supposed I intend to insinuate any opinion to the effect that such a measure either is likely to cause, or ought to be wished or desired to cause, a religious or spiritual separation between the Church of Ireland and the Church of England. The words of this measure have been carefully considered in reference to the Act of Union, so as to limit, as far as lies in our power, their repealing force to the Establishment of those Churches, and we have been very desirous to do nothing which could possibly be held to interfere with their ecclesiastical relationship. At a later period I shall have to state to the Committee what we have thought it our duty to propose, in order to prevent any kind of shock to their internal condition. But of this I am persuaded, that the best friends of religious union between the Disestablished Church in Ireland and the Established Church in England will be those who most completely assert the liberty of the former to take its own course. Were we to attempt to apply to them constraint even in the faintest and feeblest form for the purpose of seeking to secure their union, we should, I believe, engender re-action, even if such a proceeding were not open to the more palpable and obvious objection that, considering the general scope of our Bill, it would be a proceeding totally and radically unjust. These, I think, are the positive and most important provisions which we propose as provisions which must take effect simultaneously with the passing of the Bill. There is, however, another provision, for the operation of which we cannot precisely fix a time, because it does not depend altogether on us, but which this appears to me to be the proper place to mention. Inasmuch as there must necessarily grow out of the present position of the Church in Ireland, its property and arrangements, a number of measures that in winding up this great system will have to be considered and discussed between some authority on the part of the State and some authority on the part of the Church, the course which we propose to Parliament to take is this — We presume that during the interval which the Bill will create after the disabilities are removed the Bishops, clergy, and laity of the Church of Ireland will proceed to constitute for themselves, in the same manner as other religious communions have done, something in the nature of a governing body. We therefore take by this measure power to Her Majesty in Council—not to create such a body, but to recognize it when created, and we seek to avoid making Her Majesty the judge, either directly or by implication, whether this body is or is not for all purposes created wisely and well. But in the enacting words of the Bill we should direct the attention of the Crown solely to one point—that it must be a representative body, representative alike of the Bishops, clergy, and laity. In point of fact, Her Majesty's Advisers would have to act simply as a jury, and to satisfy themselves that this body so constituted, according to the will and judgment of the Church, fulfilled in good faith the character of a representative body. Her Majesty would then recognize that body as such, and it would become incorporated under the provisions of the Act for the purposes which I shall have presently to describe.

Now, the Committee will see how far we have got. We have passed our provisions through the intermediate period, and we are coming to the day fixed in the Act for the principal and final provisions of the Bill to take effect. We have got in operation a Commission which is to be the organ of the State in giving effect to the whole of our arrangements, and we have given time and every facility which properly belongs to us, not for bringing into operation, but for permitting to come into operation, that organ which we presume the members of the Church of Ireland will appoint in order to transact their share of the complicated business which will remain to be transacted.

I now come to the second and most important period of time which stands at present fixed in the Bill as the 1st of January, 1871. On that day, according to the provisions of the Bill, the union created by Act of Parliament between the Churches of England and Ireland would be dissolved, and "the said Church of Ireland hereafter referred to as 'the said Church'"—I am now quoting the Bill—would cease to be established by law. There would be at the same time a saving clause in the Bill to prevent its having any effect on the Act of Union other than that which is thus strictly limited and defined. On that day the Ecclesiastical Courts in Ireland would be abolished; the ecclesiastical jurisdiction in Ireland would cease; the ecclesiastical laws in Ireland would no longer bind by any authority as law; the rights of peerage would lapse on the part of the Bishops, and all ecclesiastical corporations in that country would be dissolved. The Committee is well aware that the Church itself is not a corporation, but an aggregate of corporations. I am, I believe, strictly accurate in saying that with these provisions in operation on the 1st of January, 1871, the work of the disestablishment of the Irish Church would be legally completed. There is, at the same time, a point of great importance, which I think this is the place for me to mention. Though we feel it to be a necessary—and it will, I think, be admitted by the House generally to be a necessary—part of such a plan as this that it should at once put an end to the force and authority of ecclesiastical laws, as such, in Ireland, yet we also feel that it is our duty not unnecessarily to subject that religious communion now called the Irish Established Church to shocks and inconveniences with respect to the management of its internal affairs not required by the scope of our measure. In point of fact it is not our desire that this transition—this great political transition—should be attended with the maximum, but rather with the minimum of ecclesiastical change. Whatever ecclesiastical change is made, ought, in our opinion, to be the result of the free deliberate will of the members of the Established Church, and not of the shock inconsiderately imparted by crude legislation to its machinery. We therefore propose that although the ecclesiastical laws shall lose their force as laws, in which respect they have a certain relation to the whole community, yet they shall be understood to subsist as a form of voluntary contract, which shall continue to bind together the Bishops, clergy, and laity now constituting the Established Church until and unless they shall be altered by the voluntary agency of the governing body which the members of that communion may appoint. In this way it appears to us that this great launch—and great launch it undoubtedly is, so far as all the ecclesiastical arrangements, properly so called, are concerned—will be effected smoothly, and I am, indeed, very conscious that it is desirable, on every ground that it should be so, for there will be quite enough to tax the energy, the prudence, and the courage of the members of the Church of Ireland in making provision for the great change which we are going to bring about in its internal affairs. The Committee, having followed me thus far, will have perceived that we have complete technical disendowment on the passing of the Act, and complete and actual disestablishment on the day to be named in the Act, and now standing for the 1st of January, 1871.

Next comes a matter on which I fear

it will be my duty to detain the Committee for some time—the task of carrying out all those special arrangements by means of which the interests of the parties affected by this great change will have to be settled and adjusted in detail. I am afraid I should, perhaps, alarm the Committee were I to state how numerous those arrangements are, but they embrace the vested interests of incumbents —and by the word "incumbent" I wish to be understood as meaning a Bishop or a dignitary of the Church, as well as a clergyman having parochial charge—the vested interests of curates, the case of lay and minor offices, the compensation for advowsons, the provisions to be adopted with respect to private endowments, the provisions with respect to churches, with respect to glebe houses, grave-yards, all of those, of course, being subject to the life interests recognized by the Bill. There are the arrangements connected with the winding-up of the *Regium Donum*, the arrangements connected with the winding-up of Maynooth, the arrangements for disposing of the tithe commutation rent-charge, the arrangements with respect to the large class of property affected by the property-purchase clauses, and the arrangements connected with the sale of the Church lands by the Commissioners. Let me say a word first with respect to that which is the largest of all these subjects—namely, the case of the vested interest of incumbents. Now, the vested interest of the incumbent is quite distinct, on the one hand, from his expectation of promotion. In all cases of the abolition of Establishments, be they civil or ecclesiastical, I am afraid that expectation is a matter into which, however legitimate it may be, it is impossible for us to enter. The vested interest of the incumbent, then, is this—it is a title to receive a certain net income from the property of the Church. I say from the property of the Church, because I set apart receipts from pew rents, receipts from fees, receipts from other casual sources with which it is no business of ours to deal. The vested interest with which we have to deal is the right of the incumbent to be secured in the receipt of a certain annual income from the property of the Church in consideration of the discharge of certain duties to which he is bound as the equivalent he gives for that income, and subject to the laws by which he is bound and the religious body to which he belongs. Therefore the Committee will see in what sense it it is true that, although the Church at large and the congregations at large have no vested interests, and it would be impossible to recognize anything of the kind, yet both the Church and the congregations are very largely concerned in the vested interest of the incumbent, because his title is not a simple, unconditional title to a certain payment of money, but it is a title to a payment of money in consideration of duty. In the performance of that duty the congregations and the Church are deeply concerned, and I think it will be the opinion of the Committee that it would be unjust to them to expose them to unnecessary disparagement by worsening the conditions under which they now stand in reference to the clergy. Such is the vested interest of the clergy; and I may here say that although, as a rule, it is for parents to set examples to children, yet, in the vicissitudes of human affairs, it sometimes happens that children may set a good example to parents. It has happened so in this instance, for the Legislature of Canada, having to deal with a case undoubtedly far more simple, far less difficult and complicated than ours, yet notwithstanding, in this one central and vital subject—the manner of dealing with the vested interests of the clergy upon whose incomes it was legislating, and the permanent source of whose incomes it was entirely cutting off—has undoubtedly proceeded upon principles which appear to balance, or rather to maintain very fairly the balance established between, the separate interests of the clergy and the general interests of the Church to which they belong, and the congregations to which they minister. Substantially, and after allowing for necessary differences of expression, we think the basis afforded by the Canadian measure supplies us with no unsuitable pattern after which to shape our own proceedings. Such being the case, I will briefly describe to the Committee how we propose to deal with the vested interest of the incumbent. The plan will be this—The amount of income to which each incumbent is entitled will be ascertained. It will be made subject to deduction for the curates he may have employed. That I will further explain when I come to the curate. It will be made payable, in the case of each, so long as he discharges the duty. And then there will be a provision that the annuity itself may be commuted upon the basis of capitalizing it as an annuity for life. Therefore, the commutation, taking the rate of interest at 3½ per cent, will represent his whole interest in the income he receives, presuming it to last for life. This commutation can only be made upon the application of the incumbent. He must be the prime mover in bringing it about. Upon his application the sum of money will be paid to that which I shall call, for shortness, the Church body, but it will be paid to the Church body subject to the legal trust of discharging the obligation or covenant which we had ourselves to discharge to the incumbent—namely, to give him the annuity in full so long as he discharged the duties. The effect of that plan of commutation will be that, by means of the Church body, and of the inducements that will be given to arrangements between the Church body and the incumbents, we, the State, should escape, as we hope and believe, at a very early period from that which it is undoubtedly not desirable to maintain longer than is absolutely necessary—namely, a direct relation of administrator and recipient between the organs of the State and the individual clergy of the Church. That is the nature of the interest which the State possesses in commutation; and, although, undoubtedly, commutation would be an arrangement so far favourable to the Church collectively—and the very same thing will apply *totidem verbis* to the Presbyterians of Ireland—as enabling the Church body and the individual to adjust their relations and to make a more economical application of their resources than would be possible by the maintenance of the original annuities, yet the interest of the State in bringing these transactions to a close will be felt amply to justify and strongly to recommend some arrangement of the kind. Well, that is the mode in which we should propose to proceed with respect to the great subject of life interests. These life interests are in truth by far the greatest—and, indeed, much greater than all the rest put together—of the demands upon the fund of the Church before it becomes free and available for other purposes. I wish, however, to explain what I have not yet stated—that the recognition of life interests, which would be conditional as regards the performance of the duties that are now the equivalent for the income, would be unconditional in other respects. We should not attempt to interfere, in the main, with the position of the clergyman either as proprietor or occupier of land. In many cases, indeed, as we know, the clergy of Ireland do farm their own glebes. In many cases they let land from year to year. In many cases the land is let upon short leases; and although it would be desirable if we could to bring the clergy to give up the position of landlord as soon as possible, we do not propose to effect this result by any forcible or compulsory enactment. Commutation, we think, will offer inducements which will be sufficient for the purpose; but, speaking generally, we do not propose by any compulsory provision in the Bill to interfere with the position of the clergyman in relation to any part of his freehold. There is, however, one exception which I must mention, because it is an exception which, perhaps, has a name and a bulk, though insignificant in every other respect. It is the tithe commutation rent-charge. We propose that the tithe commutation rent-charge shall at once and absolutely, and without any intervening life interest, vest in the Commission under the Act, and the reason is that the tithe commutation rent-charge, with the single exception of a certain amount of fluctuation, which, of course, is rather in the nature of an inconvenience than a convenience to the clergyman, is in every other respect a fixed interest; and inasmuch as it is very desirable immediately to put in action certain arrangements respecting it, we propose to take it at once into the hands of the Commissioners, the faith of Parliament, of course, being pledged to the payment of the whole proceeds which the clergyman could derive from it. Besides that, there is another very small exception which we have thought fit to make. I will speak by-and-by of the case of churches which are in use, but there are in Ireland cases of churches wholly ruinous, many in graveyards, but many apart from graveyards. In some cases the freehold may be in the incumbent of the parish. We propose at once to dispossess him of that freehold. It may be desirable that these sites should be disposed of, either by throwing them into the burial-grounds, or in some other manner; but there can be no advantage in keeping up that barren freehold, which is totally unproductive of practical results to the clergyman, and is purely incidental to his position as clergyman of a Church established by law. There is another change which would be made immediately upon the disestablishment of the Church, and which it is my duty to bring specially to the notice of the Committee, although probably the view of the Committee will be not only in favour of the change, but is likely to be that under the circumstances of the case it is inevitable. The Committee is aware of the peculiar nature of the title of an Irish Bishop to sit in the House of Lords. He has a title to sit there for life, and yet it is an intermittent title. He is not a permanent Member of that Assembly; but he is placed in a certain legal rotation, which brings him there for a Session and then dismisses him, in the case of the Archbishop for one, and in the case of the Bishops for two or three Sessions. We have had to ask ourselves whether it is desirable that a right of Peerage so singular in its character and operation should continue after the disestablishment of the Church? I own that, especially as to my own feelings, it is not without some regret and pain that I propose a provision which should seem in the slightest degree to convey a slight or disparagement in point of dignity to individuals who, as such, I believe to be fully and amply worthy of the honours they enjoy in the House of Lords. But the anomaly is so great, and then, again, it is so obvious, that the Irish Bishops are maintained in the House of Lords for the very purpose of representing a national and an Established Church, that — although not without regret, as far as the individuals are concerned — I think we cannot hesitate to propose to the Committee that these Peerages should lapse with the disestablishment of the Church. It is because this proposal forms a qualification to the broad principle I have laid down, as to respecting life interests in their integrity that I have been so particular in calling attention to it.

Well, now, Sir, I come to the case of the curates, and I hope the Committee will not be shocked at my endeavouring to state clearly the nature of the provisions we propose with regard to this most meritorious class of men, because, wearisome as it must necessarily be to you to pass through such a wilderness of details, yet there are many hundreds of persons for whom this question may be, or at least is believed by them to be, a matter of life or death, and who wait with the keenest anxiety to know the view that has been taken of their case. In speaking of the case of curates, I do not speak simply of those clergymen who have entered into transitory and fluctuating engagements for a week, month, or other short period. I speak of those who are regularly enlisted in the service of the Church as curates, and, in point of fact, are bound to that office by a long life tenure, unless, as they hope may at some time happen, they should be presented to benefices. I speak of those who in a popular sense I may venture to call the permanent curates of the Irish Church. Now, there is a great deal of difficulty to be encountered in dealing with this class of persons; but the Committee will observe that I am not now asking them to invade the public or the national fund for the purpose of compensation. In the main I am only studying to secure the due application to the benefit of the curate of those deductions which wc have already made from the income of the incumbent, when proceeding to calculate his annuity for the purpose of ascertaining his vested interest. We propose, then, to deal with the curates as follows:—The Commissioners are to determine who are the curates permanently employed. In some cases the form of the instrument under which they are employed will adequately determine this point; but in others it would not. We propose to leave the matter to the Commissioners, giving also to the incumbent the power of objecting that A. B., his curate, was not permanently employed. It is required, also, in order to enable the curate to take advantage of the provision on this point, that he should have been employed on the 1st of January, 1869, and that he continue to be employed on the 1st of January, 1871; or that, if he has ceased to be employed, the discontinuance of his employment shall be due to some cause other than his own free choice or misconduct. That will be the test of the eligibilily of the curate. Being so eligible, he would, *primâ facie*, be entitled to have the interest in his curacy calculated for life, he would have a vested interest in it in the same way as the incumbent has in the income of his living or bishopric, and he would be entitled to have it commuted upon the same terms. He would also be subjected to the corresponding obligation to that which would be imposed on the incumbent—that is to say, he would be bound to continue the duties he now performs until he effects an arrangement for commutation; he would be bound to render the same services to the incumbent that he formerly did, or if he cease to render them, in order to maintain his qualification, that cessation must be due to some other cause than his own misconduct or free choice. With regard to the curates of a more transitory class, we have a provision in the Bill which appears to us a fair analogy to a similar provision in the Civil Service Superannuation Acts, according to which gratuities may be awarded in consequence of disadvantages they may have sustained. But that is a matter of minor importance and minute detail upon which I will not at present detain the Committee.

I come now to the arrangements I shall have to make with regard to private endowments—and here it would be as well to refer to a misunderstanding, by no means immaterial, that sprung up in the course of last Session in consequence of an expression used by me. I said, in the course of discussion on the Irish Church, that not less than three-fifths, as far as I could reckon, of the whole money value of the property of the Church would be given back to the Church itself or to its members in any form of disestablishment that Parliament would probably agree to. It was not generally observed how important a part of that statement were the words "or its members," which I pronounced with some emphasis. What the Church will receive, under the plan of the Government, I will endeavour to separate from what its members will receive; no doubt its members will receive compensation, and the congregations of the Church have a very real interest, if not a vested interest, in those compensations. But with regard to the Church itself, the proposal of the Government would be to convey to it nothing in the shape of what I may call marketable property—I will by-and-by explain what I mean by that phrase—with the exception of private endowments which it may have received. I beg the Committee not to come prematurely to a conclusion as to the meaning of those words; but I think I shall be able to make them good, and to explain them in the course of what I am now going to say. With respect to these private endowments we do not propose that the enactments relating to them should embrace churches or glebe houses, because these are dealt with on grounds of their own, which take them out of this category. But there are private endowments in the Irish Church; and although they do not appear to be very large in amount, they are various in form — such as endowments in glebe lands, in tithes, and in money. And the definition of private endowments we think it fair to take is this — In the first place, it must be money which has been contributed from private sources. It may have been given in a public character, as for example in the cases of Primate Boulter and Primate Robinson; but though given by persons holding a public position, its having been given in a private capacity evidently constitutes it a private endowment. But we limit it by date, and the date we have chosen to propose to Parliament for limitation is the year 1660—the year of the Restoration. The reason that has recommended the date to us is the fact that the Restoration was really the period at which the Church of Ireland—the Reformed or Protestant Church of Ireland—assumed its present legislative shape and character. Before the wars of Charles I., in all the free Churches of the Three Kingdoms there were more or less the different elements that finally developed themselves into different forms of Protestantism, and these were in conflict together within the bosom of the National Church. In England we had Puritanism and Anglicanism struggling for ascendancy within the pale of the Church, as we are told in Scripture that Jacob and Esau struggled together within the womb of their mother. In Scotland there was the same struggle, with the exception that there Presbyterianism was really in the ascendancy. In Ireland, in the same way, Presbyterianism and Episcopacy were struggling powerfully together during the reigns of James I. and Charles I. It may not be known to all who hear me—though it ought to be known, and it tends strongly to justify us in not going beyond the Restoration — that the very confession, the doctrinal Confession of the Irish Church in the reign of James I. and Charles I. was not the same as that in England. It was modelled by Archbishop Usher upon the highest Calvinistic frame, and it included nine Articles, which composed a document well known in England under the name of the Lambeth Articles drawn up in the latter end of the sixteenth century. I hope I shall not wound the feelings of any man when I say that it was undoubtedly one of the most formidable collections of theology which ever proceeded from the pen of a Divine in the whole history of Christendom. It was different in spirit to the Thirty-nine Articles of the Church of England, and the constitution of the Irish Church was practically different. Presbyterianism, I know, was not formally or legally recognized then; but it had a real or practical recognition in Ulster, which was occupied by Scotch rather than English colonists, who were for the most part Presbyterians. I find no proof that when a Presbyterian minister went over from Scotland to Ireland he was obliged to submit to re-ordination; and if a Bishop had to go into a place where ordination was going on he was never allowed, as far as I can learn, in the case of a man of strong Presbyterian opinions, to assert his episcopal character and his exclusive power of ordination, but had to beg for admission into the room where the ordination was going on. Even if we could trace the private endowments back to so remote a period, the first effect would be to raise a strong controversy between the friends of Presbytery and Episcopacy. When we come to the time of Charles II., at which period the ecclesiastical condition both of England and Ireland became perfectly distinct—we ask you, then, to distinguish between private and public endowments, because we know historically that a man, at any rate, knew what he was doing, and the fair presumption arises that if he gave his money to the Church it was for the support of that form of religion to which it is now applied. That will be the definition we propose to take with respect to private endowments. They are not numerous in the Church of Ireland, but they are of extraordinary interest. Take the case of the parish of Laracor, the parish of which Dean Swift was vicar before he was transferred to the Deanery of St. Patrick's. When he went into it Laracor had a glebe house and one acre. He left it with a glebe house and twenty acres. He improved and decorated it in many ways. It is sad and melancholy to learn—if only we look upon this place as one of the memorials of so extraordinary a man—that many of the embellishments, or what our Scotch friends would call "amenities," of the glebe which grew up under his fostering hand have since been effaced. He endowed the vicarage with certain tithes which he had purchased for the purpose; and I doubt whether it is generally very well known that a curious question arises on this bequest, because a portion of his property—by-the-by, consisting, I believe, of those very tithes—was left by him for what he calls—I never knew the term to be used elsewhere—"the Episcopal religion then established in Ireland." But that extraordinary man, even at the time when he wrote that the Irish Catholics were so down-trodden and insignificant that no possible change could ever bring them into a position of importance, appears to have foreseen the day when the ecclesiastical arrangements of Ireland would be brought under a strict scrutiny and reckoning; because, not satisfied with leaving the property to maintain the Episcopal religion he proceeds to provide for the day when that Episcopal religion might be disestablished and be no longer the national religion of the country. Apparently by some secret intimation, he foresaw the shortness of its existence as an Establishment, for he left the property subject to a condition that in such case it should be administered for the benefit of the poor. The value of the private endowments, as far as we have been able to ascertain, is not more than £500,000 between land tithes and money. It is very uncertain. I may say here that I think the Committee will recognize the fairness of a step which we propose to take. There may be a good deal of legal research and legal expenditure requisite in order to obtain evidence upon those titles. We propose therefore to authorize the Commissioners to allow the parties reasonable expenses in cases where they think those expenses have been fairly undertaken in ascertaining the title and establishing the fact of private endowments.

I now come to the churches. This is the way in which we propose to deal with churches—when I say churches, I mean principally—indeed, I may say exclusively—churches which are in use by the present Established Church. Now, it is quite evident that churches cost a great deal of money to erect, but that when erected they do not properly fall within the category of "marketable property." Buyers will not easily be found, and in Ireland, as far as I can understand, there is no great insufficiency of churches—in the Establishment there is a profusion—among the Presbyterians or the Roman Catholics. Be that as it may—whether founded on feeling or the inconvertibility of churches into marketable property—we have no doubt whatever that, subject always to the general though not legal obligation of applying them to religious purposes, we propose that the churches of Ireland should be handed over to the governing body of the Disestablished Church with as little difficulty, impediment, or embarrassment as possible. What we propose, therefore, is, that within the trust those churches may be taken on the simple declaration of that body that it is their intention to take and maintain them for the purposes of worship, or else to take them down, which they wish to do in certain cases, where it is expedient for the purpose of substituting for them new churches, which the governing body may desire to build, and which may be more convenient, especially having reference to the altered temporal circumstances of their community. Under these circumstances, I have no doubt a great number of these churches will be taken over by the governing body of the Disestablished Church; but, whether that be so or not, it is our duty to make provision for the accidental case of churches being refused. If churches be not taken over by the governing body, we are not led to think that it would be expedient for Parliament to contemplate their actual transfer, under operation of law, to any other religious community; nor are we led to believe that would be generally desired by any other party. We, therefore, take a general power to enable the Commissioners to dispose of the site, or of the building itself, or, more properly, its materials.

Now there is a case on which I should say a few words, because I think it is one in which equity requires or recommends that we should make a small allowance from the ecclesiastical fund to the Disestablished Church. Unhappily, in Ireland there are not copiously scattered, as in England, churches which are beautiful and wonderful specimens of art, and which form one of the richest portions of our national treasury; but here and there in Ireland there are churches of that class. I need only mention one which has been before the public in a peculiar manner of late years —the Church of St. Patrick in Dublin. We cannot but admit these two propositions — In the first place, that it is desirable that such churches should be maintained—that it would not be desirable for the credit or character of the country that they should fall into decay; and the second proposition is that the maintenance of such fabrics is more than we have a right to expect by means of casual voluntary contributions. If such a congregation, founded on voluntary basis, should think to erect for itself such a church as St. Patrick's or Westminster Abbey, it will be for them to be responsible for its maintenance; but, with respect to those fabrics which have been erected and have been held under the expectation of permanent maintenance, we propose—subject to very careful limitations, for we confine the number to twelve churches—that the Commissioners should be authorized, where it is desirable, that a church should be maintained as a national monument, and where it is found that the maintenance would be too heavy for a voluntary congregation, to allow a moderate sum for its maintenance to those to whom it is given up. This is not a very large provision, but it is one recommended by the distinct equity of the case. I will say one word with regard to churches which are not in use in Ireland. Some of these national monuments are of a curious and interesting character; but, at the same time, as in the case of the churches at Glendalough, they are not suited or adapted to public worship. Therefore, we propose that such churches should be handed over to the Board of Works, with an allocation of funds sufficient for their due and becoming preservation. In other cases where there are remains of churches and sites of churches they might form burial grounds, or be taken up and restored by one of the religious communities of the country. Though their value may be insignificant, we ask Parliament to give power to the Commissioners to dispose of them to those communities.

The next question, I am sorry to say, like that of the curates, is beset with complications. It is one which was before the public last year, and with respect to it my views are very much qualified, or, indeed, I may say, almost overturned by the state of facts that since then we have become more accurately acquainted with. It is the case of the glebe houses; and I wish when I speak of them to include the see houses, as I included the Bishops when I spoke of the incumbents, because, in all essential respects, they stand on the same footing. With respect to the glebe houses it is exceedingly difficult to analyze the sources from which the means of building them have proceeded. Parliamentary grants have had a share of it, and private endowments have had a share of it; but the greater part of those funds has hitherto been supplied by charges deducted from the incomes of the clergy under Acts of Parliament, enabling them to charge their successors as well as themselves. Now, a nice and knotty question arises, as to whether money so obtained is to be regarded as a public or a private endowment. I can imagine a whole night spent in the discussion of that point. The greatest difficulties have arisen upon this point, and I myself have inclined sometimes one way and sometimes another with reference to it. As, in the case of the churches, there are some men of a practical turn of mind, not perhaps open much on the side of their imagination, whose minds were materially influenced by the observation that churches were not a marketable property, so the same feeling obtains as a general rule with respect to glebe houses, the value of which, while immense to the body that may possess the churches, is very small indeed to any other persons. How correct I am in making this statement the Committee will be enabled to judge when I inform them that we can trace an expenditure upon glebe houses—not including sites—amounting to £1,200,000, and yet the whole of the present value of them in Ireland, including the ground upon which they are built, is estimated at only £18,600 per annum. [*Murmurs from below the gangway on the Ministerial side.*] I hear a good deal of murmuring from some quarters of the House, and I am not surprised at it, because when these facts first came to my knowledge I was astonished myself. [An hon. MEMBER inquired whether the sum mentioned included the value of the glebes?] No, if I wanted to confuse the matter thoroughly, I should merely have to discuss the subjects of the glebe houses and the glebes together. I have alluded to this point because I desire to draw a distinction between the title of the Church to what may be looked upon as property, because it can be converted into a sensible amount of money, and its title to that which, however valuable to it as a body, has no marketable value. However, I, by no means, wish to be understood as saying that the glebe houses of Ireland are worth nothing. On the contrary, I will prove to the House that they are not worth nothing, and I will do so by showing that we shall not get hold of them without paying for them, as, unfortunately they are saddled with heavy building charges. It is a singular fact that upon these glebe houses, which are valued at the present moment at £18,600 per annum—perhaps you may be justified in adding 20 per cent to that amount in order to bring the value up to the rack rental—there should be, in addition to the enormous sums already laid out upon them, a building charge outstanding of about £250,000. That is the exact state of the case, and I cannot put it too pointedly to the Committee. £1,200,000 has been already laid out upon this property, of which the annual value according to the Tenements Valuation amounts to £18,600, and a further sum of £250,000 is still payable upon it on account of a building charge —a sum which must be paid in order to enable us to come into legal possession of it. Now, that is not certainly a very inviting prospect. I confess I was greatly astonished when I found that property which last year I proposed to treat as convertible property of very considerable value turned out to have this large charge upon it and to be of such comparatively small marketable value. However, such as it is, we of course propose to take it. If the statement I have made prove to be inaccurate and should it turn out that the glebe houses are of more value than I am now stating them to be, what I am now about to say will be subject, of course, to re-consideration. Assuming, however, that my information is correct with reference to the value of this property, then it appears to me, and it has also appeared to the Government, that the best course we can adopt under the circumstances is this—This building charge, which will have to be paid by us in the first instance, is not uniformly distributed over the whole of the glebe houses. It is probable that in some cases it will amount to almost their full marketable value, while in others no building charge at all will have to be paid. The necessity of paying the building charge where it exists is binding upon us, because in such a case the incumbent would have been entitled to recover it from his successor; and, consequently, when the incumbent dies or commutes under the provisions of this Bill, either he or his family will be entitled to recover it from us as standing in the place of his successor. We are, therefore, bound by law and by justice to discharge this obligation, and we are not called upon to exercise any discretion in the matter. We shall come into possession of the glebe houses when the existing life interests are exhausted, because our interest will still be only in the nature of a reversionary interest in the property, and then we shall have to pay the amount of the building charge still outstanding at the time. Having come into possession of the property upon those terms, we shall assume that the glebe house, where fully charged, is no property at all, but we shall still regard the land upon which it stands as valuable property. We shall say to the Church body that, wherever you take the church, you may negotiate for the land on which the glebe house is built, which we will sell at a fair valuation; and, further, that they may negotiate for a small glebe, not exceeding ten acres in extent, of the adjacent glebe land, at a fair and reasonable valuation. And so we propose to deal with the land. Where you take the land you may take the house, but with the building charge, and subject to that limitation that it should not exceed ten years' tenant valuation put upon the house, together with the site, which is as much as can be fairly expected to be paid for glebe houses. These houses will be subjected to no distinct charge where the building charge does not exist; but where we have to pay a building charge, we shall endeavour to recover it before giving up the property of the governing body of the Disestablished Church. I have certainly had to make a very complex statement, and I do not know if you understand it. It is, however, a matter of great importance, and, after a great deal of consideration, Her Majesty's Government have arrived at the conclusion that it is the best mode of dealing with this part of the subject. The great value of these glebe houses is entirely visionary. It has been said that facilities ought to be given, although not in the way of grants of money, to the members of other communions, for the purpose of enabling them to erect glebe houses for themselves. Now, that is a principle which has been already adopted by Parliament in the case of the Act of William IV. under which public money was advanced—under somewhat onerous conditions it is true—to the Roman Catholics and the Presbyterians of Ireland for the purpose of building glebe houses. Although we have not inserted any clause to carry out such a proposal in the present Bill we think it may be desirable that loans for this purpose may be granted upon easy terms contemporaneously with the winding-up arrangements to be conducted by the Ecclesiastical Commission. At the same time it will be necessary to limit the operation of that system within a certain period of time, because I think it is open to considerable doubt whether it would be desirable to keep a law of that kind permanently upon the Statute-book, seeing that it might possibly lead to some controversy in Ireland.

The question relating to the burial-grounds may be disposed of very shortly. I propose that the burial-grounds belonging to a church shall pass along with it to the Church body holding the latter, provision, however, being made in all cases for the preservation of existing interests in the burial-ground. It is known to the Committee that the law in Ireland, as recently adjusted with respect to burying-grounds, is very different from, and is much more favourable to the public, than that in force in England. We propose that all other burial-grounds shall be given over to the Guardians of the Poor, and we propose to give uniformity and simplicity to the provisions of the law which is now in partial action. I think I have now done with the winding-up arrangements of the Bill as far as the Established Church is concerned. There still remains a portion of them which, although not very extensive in amount, yet is of very great importance, and one which, I am bound to add, is by no means free in all its bearing from difficulty. It was at all times part of the views of those who proposed the Resolutions of last year that with the disestablishment of the Church must come the final cessation of all relations between the State and the Presbyterian clergy in Ireland and between the State and the College of Maynooth.

I have now to consider in what manner effect is to be given to that conviction, which was strongly entertained by the House, and which was, in fact, embodied in a fourth Resolution passed by the House during the Session of 1868, which was added to the other three Resolutions which had been previously agreed to. The sum which we have now to deal with is an annual sum of about £70,000. Of that amount £26,000 a year constitutes the Vote for Maynooth, and between £45,000 and £50,000 is the aggregate of the Votes given for the various communities of Presbyterians. And now, Sir, we are no longer dealing with a simple and single body of religionists, known to the law as the Established Church, but we are dealing with classes which, in point of religious opinion, fall under a three-fold division. The interest now before us is that of the Old or Scotch Presbyterians, as I may call them for distinction's sake; the next is that of the minor bodies of Presbyterians, who are separated in Ireland from the main body, not only by religious communion, but by grave differences in those matters which lie at the foundation of the Christian faith. There are three or four of these bodies, such as the Remonstrant Synod of Ulster, the Presbytery of Antrim, and one or two more, who fall under a different class of religionists; these, or some of them, entertaining Arian, or what are called Unitarian opinions. Then there are the Roman Catholics, sufficiently known to us to dispense with the necessity for any description as regards their religious opinions. If I refer to these distinctions of religious belief it is only for the purpose of stating in the broadest manner, that, on the part of Her Majesty's Government, I entirely decline, on the present occasion, to enter into such matters. I will not for one moment ask what are the political or the religious peculiarities of these bodies, professing the Christian name, with whom we are to deal; but I will endeavour to deal with them strictly, impartially, and equitably—on the principle of civil justice, which apply to them all alike, and which render it iniquitous and wrong to raise controversial questions in regard to them, or to matters of religious belief. The ground they stand on is that of citizenship—the claim they urge is that of general equity and good faith. We, the Government, have recognized that claim. I am confident that Parliament will recognize that claim in the case of the Established Church. Let us endeavour to proceed upon the same fair, and just, and liberal, though moderate and prudent recognition of it in the case of these bodies exterior to the Established Church. Now, as respects the larger part of this sum of £70,000 a year, there is no difficulty—when you come to look at it in the light of a purely civil interest. Most of it is given in the shape of a direct Vote of so much money passing immediately from the State to the individual through the Synod, but in all cases the nature of the vested interest and expectancy—call it what you like—is the same. All we have to do is to take precisely the same course as with respect to the clergy of the Established Church. Take the question of income—which here being a mere matter of money can be at once ascertained—that is not given to him for nothing, but on the condition of the performance of duty. Hence, with a slight modification, which I need not here mention, a similar claim will arise in the case of the Presbyterian minister to that which I have already explained in the case of the incumbent; and the Bill also will give to him a power of commutation in every substantial respect corresponding with that proposed to be made for the clergy of the Established Church.

So far with respect to the clergy and to life interests proper. Beside the ministers who perform spiritual offices in particular congregations there is another class that appears to us to have a claim; they are what are called assistants and successors. Now these gentlemen are in a condition, not indeed as to the abundance of the interest at which they are ultimately to arrive, but otherwise I take it legally in a condition not very far removed from that of an heir of entail; they are already appointed to the assistant pastorship of a particular congregation; they derive no benefit from the *Regium Donum*, but the office of assistant which they hold entitles them to succeed after the death or resignation of the incumbent, and consequently it is urged that they have a just claim to the expectancy created by that right of succession. This is not a very large matter, and will present no difficulty; it consists only of the difference in value between the life of the incumbent and the younger life of his successor; but to that extent we think it just that the claim should be provided for. Then there is another class—the teachers of Presbyterian educational institutions under the General Assembly of the Presbytery of Ulster. With regard to them, though they are not ministers, but professors only, we propose to deal with them precisely in the same manner as if they were pastors of churches, and to assure to them their salaries, together with a like power of commutation. But now comes a greater difficulty, with respect to those educational establishments to which I wish to call the attention of the Committee for a few moments. When we disestablish a Church, and when a particular congregation ceases to have a pastor found for it by public funds, it feels an immediate want, and a stimulus is applied to it to satisfy that want. But when you deal with an establishment for educational purposes, a rather different order of considerations comes into play. There are several points which ought to be taken into account, although I will not say precisely what amount of weight is to be given to them. When dealing with Presbyterian education, we are also dealing with the College of Maynooth, and the latter is a subject of difficulty of its own, and in this way we have no feelings with the professions and principles of Maynooth, but with the Presbyterian ministers and professors we have. We know nothing of the details of the arrangements made by the Professors of Maynooth with reference to the expenditure of the public Grants. We have chosen to constitute a trust by the authority of an Act of Parliament, and to that trust we have committed the disposal of the Grant which Parliament has thought fit to make. Well, now, what is the experience of England? The experience, in particular, of the training Colleges proves that there should be some consideration in dealing with establishments for education. I ought not, perhaps, to bring into the present discussion the case of Trinity College, Dublin, for Her Majesty's Government make no proposal upon that subject at the present time. But it is perfectly plain that if the House and the Legislature should adopt the measure that we now submit to it, Trinity College, Dublin, will have to be made the subject of legislation. It is also, I think, quite plain that it will be impossible to maintain the present exclusive application of the revenues of Trinity College to the purposes of a governing body and staff wholly connected with one religious persuasion. It is quite possible that Parliament may apply to Trinity College the same lenient method of dealing which it commonly adopts, and may think fit to leave some moderate provision applicable to the rearing, or to the teaching, at least, of the clergy, who will, as a clergy, become dependent entirely upon the resources of a voluntary communion. But undoubtedly when we come to deal with Trinity College we shall feel the force of this argument, that to put a sharp termination to the career of an educational establishment is a more trenchant operation than to do the same with the machinery for providing a parochial ministry, because one is a much stronger stimulus to persons to provide themselves with clergymen than the other is to induce them to maintain schools in which these clergymen can be trained. These general considerations, at the same time, are considerations which I know must not be pushed beyond their proper limits. I hope the House will think, when I come to the end of this long and wearisome statement, that whatever the Government have done they have endeavoured to keep strict good faith. I believe that I have announced no proposal as yet to which that character will not be held to apply when it is compared with our former declarations; and I trust that my announcements will remain the same to the end of the chapter.

I have now to consider in the light

and spirit of our general arrangements, and, subject always to the full maintenance, in letter and in spirit, of that which we have heretofore declared, what appears to us the most equitable method of dealing with the *Regium Donum*, the Grant to Maynooth, and all similar grants. The Presbyterians are interested in this matter in respect of the College which they have in Belfast, and likewise in respect of a similar institution which exists for the benefit of minor Presbyterian bodies; the Roman Catholics are interested in it, through the College of Maynooth; but there are also several other payments made by Parliament which, on the whole, fall under very much the same class of considerations. There is the payment made by Parliament to what is called the Presbyterian Widows' Fund. Now, that, of course, exists for the purpose of supplying wants that are coming into operation from year to year, and it would be very hard to withdraw that Widows' Fund without notice. In the same way it would be hard to withdraw, without notice, the Grants now made to Presbyterian educational establishments and to the College of Maynooth. There is another class of payments made by the Presbyterians to their Synodical officers. They hold an office regarding which it is very difficult to define the degree to which it should be considered a vested interest. But when we look at the whole of these matters, and read them in the light of the declaration and proceedings of last year, we have adopted—first, the principle that no permanent endowment can be given to them out of the public resources properly so called; and, secondly, the principle that no permanent endowment can be given to them out of the national ecclesiastical fund of Ireland. What we propose—and we think it a fair and equitable proposal—is—that in order to give time for the free consideration of the arrangements and the construction of scales for the satisfaction of life interests, and for avoiding violent shocks and disappointments to those whose plans for life may already have been made upon the supposition of the continuance of arrangements which have so long existed, and which were solemnly made, there should be a valuation of the interest of all these grants—a life interest at a moderate scale or at fourteen years' purchase of the capital amount now annually voted. [Sir STAFFORD NORTHCOTE: The annual amount?] Yes, the annual amount. It is a life interest, and it is to be commuted as a life interest is commuted, upon the age of the individual. That age varies. In the case of Presbyterian ministers, as there is a large number of years, that amount is high. In the case of Bishops and dignitaries it is somewhat lower. We take fourteen years as, on the whole, a fair amount of these different grants. We propose to treat them substantially as life interests, and the payment is to be analogous to that made on other life interests, and this is to wind up and close all the relations between those bodies and persons and the State.

Well, now, Sir, I am coming in sight of port, but I have not yet done. There are two or three points which will not take long, apart from the question of religion and matters of controversy, but which are of so much interest to gentlemen connected with Ireland and the land of Ireland, and which likewise have so innocent and beneficial a bearing on the land question of Ireland, that I must beg for a little more of the indulgence of the Committee. First of all, I would proceed to explain what I fear some of my hearers will think ought to be placed in the category of financial puzzles. If they do not entirely follow me I will ask them, without understanding me, to believe it, and I will undertake to make it good upon a future occasion. It relates to the important subject of the tithe rent-charge of Ireland. I have already said that I attach great importance to the merging of the tithe rent-charge, and for that reason the Commission will step into the possession of it immediately after the passing of the Act. Well, if there be here any hon. Gentlemen possessed of land in Ireland—and there are many—they will not be very grateful to me for what I am going first to state. It is that we shall give to them unconditionally the tithe rent-charge at twenty-two and a half years' purchase. That is, of course, twenty-two and a half years' purchase, not of the old gross £100, but of the £75 a year. We make that offer because we think there may be landlords in Ireland who will be disposed at once to wind-up the arrangement with us. But if Gentlemen will listen to me they will see that we have another alternative for those who may not be disposed to purchase the tithe rent-charge out-and-out in money down at twenty-two and a half years' purchase. It is this — We make to them a compulsory sale. I have not the least idea that any one will object to that. We convey the tithe rent-charge to them under the following conditions :—We charge them in our books with £2,250 for every net £100 a year of tithe rent-charge. That is to say, we sell them a tithe rent-charge at a rate to yield them 4½ per cent. We then credit them on the other side with a loan of equal amount. We provide that they shall pay off that loan by annual instalments, with interest. But the rate of interest to be charged on the instalment is 3½ per cent. The consequence of that is that a fund of 1 per cent will remain as a sinking fund to absorb the principal. The purchaser of the tithe rent-charge in that form—except that he will get rid of the fluctuation, for we must give him a fixed amount—will not be called upon to make any addition whatever to his annual payment. He will be liable to that annual payment for a term of forty-five years, and at the close of that term he will, under this arrangement, have the rent-charge, whatever it may be, for the residue of the time for nothing. That will be the financial effect of the arrangement, which I think will not be bad for the Irish landlord. I perceive by the buzz around me that this portion of the subject, at any rate, is not without some interest to a great many hon. Members.

I may here say that, in dealing with this question, I have ventured to lament the necessity under which Parliament has found itself on a former occasion of wasting the property of the Irish Church, in order to prevent its being so great in its magnitude as too much to shock the public mind. We have not proceeded on that principle of wasting. We have not sought to work down the residue that will remain to be disposed of; but we have endeavoured to make the most economical arrangement for the interest of that fund of which the equity of the case admits. And the Committee will the more readily give me credit for what I have to say on this subject when I add that, while in this manner we shall give twenty-two and a half years' purchase for the tithe rent-charge of Ireland, the average rate at which that charge sells in the market is very little, if at all, more than sixteen or seventeen years' purchase. On the other hand, it is not a bad arrangement for the public, because it may be safely taken as a general rule that the public, in arrangements reaching over a long period of time, are perfectly safe in undertaking to lend at 3½ per cent. There is another point which need not detain us more than a moment. It relates to what will be in the recollection of Irish Gentlemen—but there are very few still here who were in the House at the period of the Irish Church Temporalities Act—as the Perpetuity Purchase Clauses. They were clauses of an arrangement somewhat doubtful for the interest of the national ecclesiastical property of Ireland. We feel that under this Bill equity requires that the persons who are now possessed of a title to purchase under these clauses should not be suddenly deprived of that title. But we also feel it to be impossible, in conjunction with a measure for disestablishment and disendowment such as this, to keep those clauses permanently in existence, in consequence of the highly anomalous and highly inconvenient confusion of interests which they create. We therefore propose that the power to purchase, now in the hands of the tenant, shall remain in existence for three years from the 1st of January, 1871, and if not made use of in that interval it shall then finally lapse and determine. Another question of great and universal interest arises in connection with this subject. The Commissioners to be appointed under this Bill, or some body which may succeed them, after the difficult and onerous part of the arrangement shall be disposed of, will, as I think, be the holders of a considerable amount of property. The question is, in what investment shall that be held. The perpetuity purchase rents now in existence appear to form, as far as they go, a very eligible description of investment, because they have the certainty of landed income without the incidents of fluctuation, or any of those difficult administrative questions which attach to the character of the landlord. The Committee will, however, agree with me that it is not desirable either that this Commission which we now propose to appoint, or any State authority in its place, should continue permanently to hold the Church land which will necessarily come into its possession. Such a Commission is not, and cannot be permanently a good landlord, and it is far better that it should discharge itself, as soon as may be, of duties it cannot properly fulfil. What we propose, then, is that in selling the proprietary rights of these estates the power of pre-emption should be provided for the tenants, and, what is more—indeed, without this addition I do not think I could claim for this provision credit for anything more than good intentions—we further propose that in such sales three-fourths of the purchase-money may be left upon the security of the land, and that the charge so remaining shall be liquidated by instalments, upon the principle adopted in the Drainage Act, by which we make the whole re-payable in twenty-two years. Now, the nature of this proposal the Committee thoroughly comprehend, and I trust it will meet with their approval. It does not place the land in the market in an anomalous character; it does not make the State responsible for duties that it cannot fulfil, and the permanent retention of which is alien from its nature. And it will have the economical effect of materially improving the price that we shall get for the land; and by this means we shall try the experiment, on a limited scale, of breaking up properties in a manner which I believe to be perfectly safe, perfectly easy, and perfectly unexceptionable.

I will now, Sir, give to the Committee the financial result of these operations in a very few words. With respect to the income of the Irish Church I shall say very little, for I have great difficulty in making out what it really is. The Church Commission laboured assiduously between 1867 and the end of 1868, and they have reported, as the result of their inquiries, that the income of the Irish Church is £616,000 a year. I must say, with very great respect for their sixteen months of toil, that I humbly dissent from the conclusion at which the Commission arrived. It seems to me that they placed the revenue too low. I find that one of the Commissioners (Colonel Adair), who is known to have taken an active part in their labours, has within the last fortnight published a statement in which he puts the income of the Irish Church as high as £839,000 a year. I do not place it quite so high as Colonel Adair, nor quite so low as the Irish Church Commission. I believe it to be about £700,000 a year, which I think is no unfair statement. So much for the income of the Irish Church. But what we have more to do with is the capital. I have taken the tithe rent-charge at the rate of purchase I propose, and I find that the tithe rent-charge will yield £9,000,000. I have taken the land of all kinds, episcopal and chapter lands, those belonging to glebes, &c., and putting on them the fairest valuation that a very competent person by whom we are assisted in Dublin can make, I find that the whole undivided value of the lands and of the perpetuity rents, if sold, would be £6,250,000. Besides that, there is money of one kind or another in stocks and banks to the amount of £750,000. I have not attempted to value the fabrics of churches, nor the fabrics of the glebe houses, because after what I have stated how they stand in the Tenements Valuation, and the charge upon them, I consider it would be idle to include them in this statement as an item of any considerable amount. The result, without taking into account the glebe houses and churches, is that the whole value of the Church property in Ireland, reduced and cut down as it has been—first by the almost unbounded waste of life tenants, and second by the wisdom or un-wisdom of well-intending Parliaments—the remaining value is not less than £16,000,000 — an amount more considerable than I had ventured to anticipate, when, with smaller means of information, I endeavoured to form an estimate of it last year.

I now come to a delicate part of the case, and here the figures must be considered as taken with rather a broad margin. Yet, on the whole, I think they will be found very near the mark, so far as the total is concerned. The life interests of incumbents of all kinds in the Church—Bishops, dignitaries, and parochial clergy — will amount, I think, to, say £4,900,000; and if that appears to any one a large sum, he should recollect that when divided by the large number of persons—2,000, including curates—among whom the whole has to be apportioned, it represents a very slender acknowledgment for the labours, expectations, and costly education of those gentlemen, and for the anxieties and honest and good service by which their respective situations have been attended.

The compensation of the curates, deducted almost entirely from that of the incumbents, will come to £800,000. The lay compensations are not inconsiderable. They will come to £900,000. Of that, something over £300,000, it is supposed, will be the value of the advowsons; but it is very difficult in Ireland to obtain fixed, clear, and definite rules for estimating their value. The transfer of them in Ireland is comparatively rare, and they are subject to a variety of contingencies which very much impair the means of judgment. It is not a large matter. We put it at about £300,000. The other lay compensations embrace a class of persons who do not much enter into the view, looking at this subject generally; but the largest part will be absorbed by the parish clerks and sextons in Ireland, of whom the bulk, I believe, like the incumbents, have freehold offices, and must be dealt with on the very same principle as the incumbents. Then there are the officers of cathedrals, of the Ecclesiastical Courts, and the functionaries connected with the present Ecclesiastical Commission. These will bring up the amount of the lay compensations to about £900,000. The charge of private endowments on the fund is about £500,000, and in that, I may say, in passing, will not be included the result of a recent Act of Parliament passed by Sir Joseph Napier as to endowments of a particular class, which it is not necessary to bring into this Bill. The building charges we shall have to pay, in order to get possession of the buildings, is £250,000. The sum necessary to clear off our engagements upon the moderate footing we propose with respect to the Presbyterians and Maynooth will be £1,100,000; and of that sum I ought to say two-thirds will go to the Presbyterians, and no more than one-third to Maynooth. I must also supply two small claims I had omitted. The Presbyterians claim—and I think it is not an unreasonable claim—that, as we admit an educational establishment to require a little more time for maintaining it on the old system, we should give them some consideration in the shape of money in respect of the buildings they have raised in Belfast to meet the Parliamentary Grant, which we shall be prepared to concede, subject to the maximum of £15,000. The other is a claim, not made by the Roman Catholics, but it is our opinion it ought to be made spontaneously, and that, I think, will be the universal opinion of the House. When the Act of 1845 was passed it was known to be the intention that the buildings of Maynooth should be kept in repair at the public charge. The House of Commons modified its views shortly after. The College had no means of meeting the necessary expense except by borrowing, and they have gone in debt to the Board of Works to the extent of £20,000. I think we should all feel that that debt incurred in past time on account of these repairs, and in consequence of a change of view on the part of Parliament, ought at once to be remitted. I estimate the expense of this Commission during the ten years of its continuance at £200,000, and that makes my total charge against the property of the Church amount to £8,650,000. So that the property will be divided—for I confess I have some faith in the moderation of my estimate—into two nearly equal parts; or, to be quite safe, I may call it £16,000,000, and as the charges upon it will come to between £8,000,000 and £9,000,000, the sum at the disposal of Parliament for other purposes will not be less than between £7,000,000 and £8,000,000.

I have now, Sir, done with my first and second date. We have arrived at a period, let us suppose, when the arrangements I have detailed are all completed—that is to say, as far completed as the provisions that have been made can possibly require. But there is one financial item which, through infirmity of memory, I have omitted, The Committee will naturally ask how we are to pay the heavy charge that may be compiled by the commutations, because if the commutations are made, and we have every desire they should be made immediately or as soon as possible after disestablishment, they will require, between Episcopalians and Presbyterians, from £6,000,000 to £7,000,000. My answer is that, fortunately, the banking resources of my right hon. Friend the Chancellor of the Exchequer are such, with respect to the deposits of the public, as to cause no serious difficulty on that part of the case; and, as a matter of prudence, we have taken power in the Bill to fix the payment of commutation money in eight instalments extending over four years.

And now, supposing that all the arrangements which I have so imperfectly detailed, and which the Committee have listened to with so much patience—supposing that we have reached the moment when these arrangements are all completed—that is, so far completed that provision is made for all they can possibly require—I now come to the third date, to which I pointed at the commencement, and I ask a question which will re-awaken the flagging interest of the Committee—How are we to dispose of the residue? I will first state the conditions which appear to me necessary to be combined in a good plan for the disposal of such a fund. The first two are already fixed—written, I may say, in letters of iron. It is written that the money is to be applied to Irish purposes; and it is written that it is to be applied to purposes not ecclesiastical—not for any Church, not for any clergy, not for any teaching of religion, and I hope the Committee will see that, in thus broadly stating what I conceive to be the obligations we have come under, I am showing a disposition not to shrink from the fulfilment of those obligations. But there are other requisites that it is most important to combine in any plan for the application of this residue. In the first place, I think there are feelings much to be respected in a large portion of the community—of those who say that the time has come when the application of this money must be dissociated from the teaching of religion, but who, at the same time, would desire that its future application should, if possible, bear upon it some of those legible marks of Christian character, which would be, as it were, a witness to its first origin and to its long continued use, being applied, as nearly as circumstances admit, in conformity with what is usually the *cyprès* doctrine of Courts of Equity. Another condition of a good plan is that it must not drag us from one controversy into another. We must not make this great controversy, as yet itself not perfectly solved [*Opposition Cheers*]—yes, but very near its perfect solution—the mere doorway to another set of conflicts and disputes, perhaps, equally embarrassing. One condition of a good plan is that, the question being Irish and wholly Irish, the plan must be equal in its application to all parties, and, as far as may be, to the whole community in Ireland. One condition more I will mention, to which I attach the highest value: the plan must embody the final application of the money. The money must be so disposed of, so attached and annexed to the satisfaction of the permanent wants always inherent in the community, that the day never can come when some Member, rising either upon these or upon those Benches can say "Here you have a fine fund undisposed of in Ireland," and may suggest some scheme of applying it which shall lead us back into all the embarrassments from which we are now at length vigorously struggling to free ourselves.

I will mention some of the modes suggested for the application of the money. The division of the fund among Churches only was out of the question, because such a measure would be in conflict with the sentiments of the people, the opinions of this House, and the pledges which we have given, and which must be redeemed. The application of it to education would not fall so directly under the ban as the direct application of it to religion; but to propose to apply these funds to education would, in the first place, raise a just suspicion on the part of our Irish friends that we were endeavouring to get quit of the annual Grants in the Estimates; and, in the second place, it would launch us into a multitude of religious difficulties, and would again complicate the controversy of the National Church with the controversy of the unsolved problems of education. It has been proposed by some that the fund should be applied to public works in Ireland. Those who have followed the history of the great attempt we made at public works in Ireland in reference to the Shannon drainage will admit that the prospect opened by such a proposal is not very inviting. In the first place, it is a project which would lead to jobbery, and in the next place it would set every part of Ireland at variance with every other part, in the scramble to obtain the largest possible portion of the money. In the third place, do what you could to promote equality, the application of the money must be unequal, it must be given to certain districts, and many other districts must in a great degree fail to share in it; and, lastly, if this is to be given in the way of a loan for public works, each public work having ended, and the money coming back, it becomes again available. There is no successor immediately entitled to claim it. We should be open to the charge of great imprudence and impolicy were we to propose to make this fund the means of any system of permanent lending, which would have the effect of opening the way always to new proposals, perhaps of the most objectionable character; nay, perhaps, tending directly to revive our present and past controversies about religion in Ireland. It has been proposed to apply it in some manner to the railways. There, again, it would be impossible for us to mix the question of Irish railways with the question of the National Establishment in Ireland. I know very well the interest that exists on the subject of railways, and of public aid to railways in Ireland, but I also know that that is a question of great difficulty and complication, and that our duty now, in laying before you a measure for which we claim the credit of finality, is to make some proposal that is obvious and clear in its character, and that does not involve you in any of the prior solutions of any of those difficult inquiries before you can determine whether it can be adopted or not. It will be the duty of Her Majesty's Government to give the most careful consideration in their power to all the proposals made with respect to Irish railways; but it would not be their duty to involve themselves and you in new difficulties by mingling that subject with the subject before us. It has next been proposed that the money should be applied to the poor rates. Such an application, it appears to me, would be a great mistake. I am not the least shocked at the idea that the land of Ireland, and the landlords of Ireland, may derive very considerable benefit from any mode in which these funds can be judiciously applied for the welfare of Ireland. I am convinced that in the long run much of it must come to them; but I do not think that upon that account, when we have a system of legal obligation regularly constituted, that system of legal obligation being the satisfaction of a primary want, recognized in almost every country as incumbent upon the property of the country, a sum of this kind ought to be applied directly in relief of property; and I think if we did so apply it we should be guilty of a great breach of faith towards the people of Ireland. The people of Ireland are generally Roman Catholic. As Roman Catholics they have scarcely the smallest interest in the proposals I make on this subject. In fact I am almost ashamed to think in this great business of winding-up, when such large sums of money are being disposed of, how exceeding small a portion can fall to their share. But, I say at least, that this fact—that such is the conclusion towards which the equitable application of our principles, and the necessities of our situation lead us—is really a reason why we should recollect that at least the people of Ireland are entitled, if not in respect of their religion, in respect of their being the mass of the people of Ireland, to be made as far as possible, the principal recipients of the beneficial application of this fund.

I will now venture to read to the Committee the Preamble of the Bill that I hope will be in the hands of Members to-morrow night, and it is the latter part of the passage which defines the manner in which the application of this money is proposed—

> "Whereas it is expedient that the union created by Act of Parliament between the Churches of England and Ireland, as by law established, should be dissolved, and that the Church of Ireland, as so separated, should cease to be established by law, and that after satisfying, so far as possible, upon principles of equality as between the several religious denominations in Ireland, all just and equitable claims, the property of the said Church of Ireland, or the proceeds thereof, should be held and applied for the advantage of the Irish people, but not for the maintenance of any Church or clergy or other ministry, nor for the teaching of religion; and it is further expedient that the said property, or the proceeds thereof, should be appropriated mainly to the relief of unavoidable calamity and suffering, yet so as not to cancel or impair the obligations now attached to property under the Acts for the relief of the poor."

It is the latter part of the passage which defines the application of the money. There is, Sir, in every country, as we are all aware, a region of want and suffering lying between the independent part of the community on the one hand, and the purely pauperized population on the other. For this region of want and suffering it is very hard to make adequate provision by the Poor Law, which is almost intended to be niggard in its operations, because, if it were made liberal and large, the risk would then be run of doing the greatest possible injury to the independent labourer struggling to maintain himself. The wants that I speak of in Ireland are at this moment partly unsupplied, and they are partly supplied in the rough, a medium which we think defective, and which might be greatly improved. The medium I speak of is the county cess, a heavy and increasing tax—a tax not divided like the Poor Law between the owner and the occupier, but paid wholly by the occupier, and a tax not limited like the Poor Law to occupations above £4 in value, but going down to the most miserable hut or cabin. The holders of these most wretched tenements are now required in Ireland, and required increasingly from year to year, to pay not that which is paid by the wealthier portion of the occupants, who contribute to the Poor Law, but to pay for that class of want and suffering which ought undoubtedly to be met, and which in every great community ought to be liberally met, but which can only be met by the expenditure of large and considerable funds in comparison with those which avail for the support of the pauperized population. Now, what are these? I take first the lunatic asylums. The care of lunatics is one of the great duties of the community, and in Ireland, though the provision for them has as yet by no means overtaken the whole country, the cost on this head is alrady from £120,000 to £140,000 a year, and will ultimately rise to £200,000. This expenditure is defrayed by the county cess, collected from the class of occupiers I have described.

The case of the deaf and dumb and of the blind is the next melancholy topic I will refer to, and they constitute the sorest places of the social system, and suffer from the most grievous and painful afflictions with which humanity is vexed, and for which no Poor Law can provide. The care of these is a very expensive matter. You will keep a pauper in a workhouse, and keep him decently, in Ireland, for some £7 or £8 a year; but you will not keep these classes—you will not give to the deaf and dumb and the blind the most precious boon you can give them—that is, training and instruction—under, perhaps, £30 or £40 per head per year. It is no common act to train these people and to convey to them through the beneficial channels that the Almighty has given us the blessings of knowledge and the faculty of applying their bodily powers to their own support. This description of want and suffering is, it appears to me, marked out by every feature that can recommned it for the application of any funds like these. There are those who say these funds should not be secularized. I respect the feelings of those who are against the secularization of such funds; but I say that if we go back to the history of ecclesiastical property in Europe the suggested application is not to be condemned and denounced as secularization.

The property of the Church was divisible into four parts. One of these was consecrated to the use of the poor; and, of all the poor, the afflicted classes I have named make the strongest appeal to human compassion. At the same time, when I know the condition of the Irish peasant, when I see that the charge, through the medium of the county cess, is to be laid mainly upon him, in the first instance, and wholly upon him by the present machinery of the law, I hail the occasion this gives us of at once effecting a great improvement in relieving the Irish occupier, and especially the poor occupier, from an important portion of his burden, and of providing a more ample, a more uniform, and a better regulated source of income for the relief of the very sorest of human wants and afflictions. The general framework of this plan will be developed when the third of the days I have described is arrived at. It will be the duty of the Commission to report to the Queen that provision is made for all the purposes contemplated in the Act, and it will be their duty also to report what is the amount of surplus revenue available for these ulterior purposes, the whole of which will be enumerated in the Bill. I will not trouble the Committee now by reading them. I will not say whether or not it might be necessary to resort to further legislation; but these sums would be administered, not under any system wholly new, but they would be administered upon principles and according to rules which are already in partial and imperfect operation in Ireland. We shall escape altogether that which is called the religious difficulty, because we only propose to continue to stand upon ground, the firmness and solidity of which we have already ascertained by experience, and to make these sums available for their destined application, probably in most cases through the medium, and in all cases under the control—and that we provide in the Bill—of the Poor Law Commissioners for Ireland. I have mentioned lunatics first, because the provision to be made for lunatics is the largest of all. Next to these in order is the making a satisfactory provision for the training and instruction of the deaf and dumb and the blind. I beg the Committee to understand I am not now speaking of institutions in which the deaf, the dumb, and the blind are to be mewed up for life, but simply of schools in which they may receive that kind of instruction that they are capable of receiving for their own benefit; then to go out again into the world and play their part, so far as Providence permits, as useful members of society. We believe that a good system in aid of the Poor Law may be provided for that class of persons at an expense of about £30,000 a-year, and the ultimate expense of the provision for lunatics would be £185,000 a-year. The provision for other forms of mental weakness besides that I have named—that is, for idiots and others—might cost about £20,000 a-year. There is a provision urgently needed in Ireland, and that is a supply of properly trained nurses for the use of paupers and for the poor who are above the paupers. In Ireland, I apprehend I am correct in saying the Irish medical men are known for their skill; but they are scattered over the country much more thinly than in England. The unions are large, and the public medical officer cannot be in two places at once. I am sorry to be informed upon good authority that the injuries to health, and even to life, which result from the want of skilled nurses, especially for women in labour, are grievous. The Poor Law Guardians shrink from incurring the necessary expense, and make the requisite provision in very few cases; but for a sum of £15,000 a year nurses might be provided all over Ireland. Reformatories and industrial schools languish in Ireland; they receive Parliamentary Grants; but between Parliamentary Grants and private benevolence they are inadequately supported. We shall propose to the Committee that they also be included as recipients of £10,000 of these funds. There is another charge, and that is for county infirmaries, to which I must call the particular attention of Irish Members. The infirmary system of Ireland is at present principally charged upon the county cess, and is a burden on the poorest occupiers of the land. It is very imperfect in two particulars. In the first place, it often happens that the infirmary of the county, though in the capital of the county, is not central; and, although it is supported by taxes levied from the whole county, it is really a benefit only to a very small portion of it. In the second place, the government of these infirmaries is wholly antiquated and unsuitable, and needs to be reformed. The sum to be claimed by the county infirmaries, hospitals, &c., may be put down at £51,000 a year.

The general financial result is that I have pointed to a fund of between £7,000,000 and £8,000,000, and the charges which will be most likely to occur under these heads, and which may be assumed from time to time as we are provided with the means, amount to £311,000 a year. With the provision of all these requirements I think we should be able to combine very great reforms; we shall be able to apply strict principles of economy and good administration to all these departments; we shall be able to re-divide Ireland into districts around county infirmaries, well managed and governed, and so disposed as greatly to increase facility of access to them. Lastly, I have to mention that to which I confess I attach very great value and importance. It should be known that the state of things I have pointed out with regard to the county cess has attracted the attention of Irish Members, and the attention of a Committee of this House, which has recommended that the county cess be put upon the same footing as the poor rate, that the poorer occupiers be relieved, and that the payment be divided between the landlord and the tenant. We certainly shall be in a better condition for inviting the Irish landlord to accede to that change when we are able to offer, as we shall offer by this plan, a considerable diminution of the burden of the county cess. This is, in general terms, the mode in which we propose to apply the residue, and I feel quite satisfied that I am justified in inviting to it the serious attention of the Committee, and in expressing a confident expectation and belief that the more it is examined the more they will find—passing over objections that may be made to disestablishment and disendowment—it is in itself a good and solid plan, full of public advantage.

I believe I have now gone through the chief of the almost endless arrangements, and I have laid, as well as I am able, the plans of the Government before the Committee. I will not venture to anticipate the judgment of the Committee; but I trust the Committee will be of opinion it is a plan at any rate loyal to the expectations we held out on a former occasion, and loyal to the people of England who believed our promises. I hope also the Members of the Committee may think that the best pains we could give have been applied in order to develop and mature the measure, and I say that with great submission to the judgment of Gentlemen on this and on the other side of the House. It is a subject of legislation so exceedingly complex and varied that I have no doubt there must be errors, there must be omissions, and there may be many possible improvements; and we shall welcome from every side, quite irrespective of differences of opinion on the great outlines of the measure, suggestions which, when those outlines are decided upon, may tend to secure a more beneficial application of these funds to the welfare of the people of Ireland. I trust, Sir, that although its operation be stringent, and although we have not thought it either politic or allowable to attempt to diminish its stringency by making it incomplete, the spirit towards the Church of Ireland as a religious communion in which this measure has been considered and prepared by my Colleagues and myself has not been a spirit of unkindness. Perhaps at this moment I can hardly expect—it would be too much to expect—to obtain full credit for any declaration of that kind. We are undoubtedly asking an educated, highly respected, and generally pious and zealous body of clergymen to undergo a great transition; we are asking a powerful and intelligent minority of the laity in Ireland, in connection with the Established Church, to abate a great part of the exceptional privileges they have enjoyed; but I do not feel that in making this demand upon them we are seeking to inflict an injury. I do not believe they are exclusively or even mainly responsible for the errors of English policy towards Ireland; I am quite certain that in many vital respects they have suffered by it; I believe that the free air they will breathe under a system of equality and justice, giving scope for the development of their great energies, with all the powers of property and intelligence they will bring to bear, will make that Ireland which they love a country for them not less enviable and not less beloved in the future than it has been in the past. As respects the Church, I admit it is the case almost without exception. I do not know in what country so great a change, so great a transition has been proposed for the ministers of a religious communion who have enjoyed for many ages the preferred position of an Established Church. I can well understand that to many in the Irish Establishment such a change appears to be nothing less than ruin and destruction; from the height on which they now stand the future is to them an abyss, and their fears recall the words used in *King Lear* when Edgar endeavours to persuade Gloster that he has fallen over the cliffs of Dover, and says—

> "Ten masts at each make not the altitude,
> Which thou hast perpendicularly fallen;
> Thy life's a miracle."

And yet, but a little while after the old man is relieved from his delusion, and finds he has not fallen at all. So I trust that when, instead of the fictitious and adventitious aid on which we have too long taught the Irish Establishment to lean, it should come to place its trust in its own resources, in its own great mission, in all that it can draw from the energy of its ministers and its members, and the high hopes and promises of the Gospel that it teaches, it will find that it has entered upon a new era of existence —an era bright with hope and potent for good. At any rate, I think the day has certainly come when an end is finally to be put to that union, not between the Church and religious association, but between the Establishment and the State, which was commenced under circumstances little auspicious, and has endured to be a source of unhappiness to Ireland, and of discredit and scandal to England. There is more to say—This measure is in every sense a great measure—great in its principles, great in the multitude of its dry, technical, but interesting detail, and great as a testing measure; for it will show for one and all of us of what metal we are made. Upon us all it brings a great responsibility—great and foremost upon those who occupy this Bench. We are especially chargeable—nay, deeply guilty, if we have either dishonestly, as some think, or even prematurely or unwisely challenged so gigantic an issue. I know well the punishments that follow rashness in public affairs, and that ought to fall upon those men, those Phætons of politics, who, with hands unequal to the task, attempt to guide the shariot of the sun. But the responsibility, though heavy, does not exclusively press upon us—it presses upon every man who has to take part in the discussion and decision upon this Bill. Every man approaches the discussion under the most solemn obligations to raise the level of his vision and expand its scope in proportion with the greatness of the matter in hand. The working of our constitutional government itself is upon its trial, for I do not believe there ever was a time when the wheels of legislative machinery were set in motion under conditions of peace and order and constitutional regularity to deal with a question greater or more profound. And more especially, Sir, is the credit and fame of this great Assembly involved; this Assembly, which has inherited through many ages the accumulated honours of brilliant triumphs, of peaceful but courageous legislation, is now called upon to address itself to a task which would, indeed, have demanded all the best energies of the very best among your fathers and your ancestors. I believe it will prove to be worthy of the task. Should it fail, even the fame of the House of Commons will suffer disparagement; should it succeed, even that fame, I venture to say, will receive no small, no insensible addition. I must not ask Gentlemen opposite to concur in this view, emboldened as I am by the kindness they have shown me in listening with patience to a statement which could not have been other than tedious; but I pray them to bear with me for a moment while, for myself and my Colleagues, I say we are sanguine of the issue. We believe, and for my part I am deeply convinced, that when the final consummation shall arrive, and when the words are spoken that shall give the force of law to the work embodied in this measure—the work of peace and justice—those words will be echoed upon every shore where the name of Ireland or the name of Great Britain has been heard, and the answer to them will come back in the approving verdict of civilized mankind. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Mr. DISRAELI: I wish to take the earliest opportunity of stating the course that I and those with whom I have the honour of acting propose to take under the present circumstances. We have not, in any degree, changed our opinions repecting the policy which the right hon. Gentleman has so fully, so adequately, and so eloquently placed before the House this evening. We still look upon disestablishment as a great political error; we still look upon disendowment of a Church, particularly when its property is to be applied to secular purposes, as mere and sheer confiscation. With these feelings, it would certainly be my duty, under ordinary circumstances, to resist the Motion made by the right hon. Gentleman; but I cannot conceal from myself that, in coming to a determination as to the course we ought to take, we must not limit ourselves to the consideration of the mere Motion before us. I would not pretend that this new House of Commons can be at all fettered by the decision at which the late House of Commons arrived; but that decision must be taken in conjunction with the circumstances which followed it; it must be taken in conjunction with the decision of the country at the General Election, and the course of the then existing Government in consequence of that decision of the country. Under those circumstances, I feel it is our duty to take a different course from that which otherwise we might have felt it our duty to pursue. I take the fair interpretation of the decision of the country at the General Election to be this, that it was the opinion of the country that the right hon. Gentleman should have the opportunity of dealing with the question of the Church in Ireland. I do not understand that the country pledged itself to support any particular measure. No particular measure was then before it; but it declared and decided, in a manner which could not be mistaken, that the right hon. Gentleman should have a fair and full opportunity of dealing with the question of the Church in Ireland. I cannot, therefore, take this occasion, which might otherwise have been a most legitimate one, of preventing the right hon. Gentleman from placing his policy before the country, and I shall advise none of those whose conduct I can influence to oppose the Motion the right hon. Gentleman has just made. The Motion is one which, if it were not for those wise forms of the House, that I shall always be the first to uphold, would be only equivalent to the right hon. Gentleman asking leave to introduce his Bill and have it read a first time. I think the right hon. Gentleman ought to have the opportunity of placing his policy before the country without any unnecessary delay, nor is it expedient that there should be unnecessary delay in Parliament coming to a decision upon the subject. That there should be a serious and even solemn consideration of the question—that there should be an adequate and even ample debate upon it, I hope no one on either side of the House will for a moment deny; but it does not appear to me that it is at all expedient any time should be lost in having the policy of the right hon. Gentleman fully announced for the consideration of Parliament. I trust the right hon. Gentleman will give ample time to the House and the country for the consideration of his measure before he asks for a decision. The right hon. Gentleman has not yet intimated when he proposes to take the second reading; but it appears to me that it would be possible to give adequate time for the consideration of the measure without incurring unnecessary delay. I hope the right hon. Gentleman will allow at least three weeks for the consideration of a Bill which we have not yet in our hands. That period is not too long for the consideration of a measure of so complex and various a character, irrespective of the importance of its leading principles. It appears to me that the right hon. Gentleman will have an opportunity then of moving the second reading before Easter, and probably of having a decision upon it; and if, as I have heard, and the rumour was to me by no means disagreeable, our Easter holidays are to be only of a nominal character, and are to be made up for at Whitsuntide, then, even if the vote were not taken, the delay would be only from Thursday to Monday. If the right hon. Gentleman gives us three weeks for consideration—[" No, no!"] The hon. Gentleman says " No," but he has not read the Bill. The statement of the Prime Minister to which we have listened occupied more than three hours, and I willingly admit that not a phrase in it was wasted, but that very circumstance I think justifies the request I have made. I will only repeat that the course we propose to take on the present occasion is to offer no opposition to the Motion. If we wanted delay, we might have offered opposition and have involved the House in a preliminary debate of considerable length. That circumstance, I hope, will be taken into account by the right hon. Gentleman. I trust, therefore, as we are not opposing the Motion, the right hon. Gentleman will accede to my proposition, and allow the House and the country an opportunity for considering this important subject, which involves details all of which must be investigated; and if he pursues that course, he will find that he will have to encounter no unnecessary or vexatious delay.

Mr. GLADSTONE: I at once admit that nothing can command my confidence more fully than the declaration of the right hon. Gentleman with respect to the view he takes as to the question of time. I will explain to him exactly, however, the way in which the case lies, and then he will be able to judge how far I can comply with the request made to me, and where it is necessary for me to take a stand. Our wish upon this subject is that this measure shall pass into a law—at any rate that it shall not fail in passing into law through want of time. Now, Sir, the House of Lords is entitled, upon a question of this kind, to a suitable period of time. It is not only entitled to time for discusssion on the main stages, but also on the details. I do not think we should be doing very full justice to the House of Lords on this subject if we were to send them this Bill in the month of July. I think it ought to go to them before. I am bound also to say I hold that this Bill ought to take some time in Committee in this House, and I think some considerable time will be required between the second reading and the Committee. It appears to me, if I may say so, that the debate upon the second reading is but very little more than a renewal of the debates of last year, and that it is in Committee the real manipulation of the details will be carried out. I am bound to say that I think it my duty to press the Committee and the House to take the second reading before Easter. If the Bill be in the hands of Members to-morrow, I think that Thursday fortnight is really the latest moment for which the second reading can be fixed.

MR. DISRAELI intimated his assent.

Resolution *agreed to.*

House *resumed.*

MR. GLADSTONE signified to the House, That Her Majesty has been pleased to place at the disposal of Parliament, for the purposes of the Bill, Her interest in the Archbishoprics, Bishoprics, and other Ecclesiastical dignities and benefices in Ireland.

MR. SPEAKER then put the Question that leave be given to bring in the Bill.

SIR FREDERICK HEYGATE asked for some explanation with respect to the funds said to be in the hands of the Chancellor of the Exchequer for the purpose of carrying out some of the arrangements contemplated by the Prime Minister.

MR. HUNT said, he did not understand, from the statement of the right hon. Gentleman, whether the private endowments were to be put into the hands of what was called the Church body or were to be localized.

MR. GLADSTONE: With respect to the private endowments, the expression that I used was that they would pass into the hands of the Church body; but it will remain entirely open for consideration whether some arrangements should not be made which would pass them into the hands of some local authority. It is impossible for us at present to undertake to be acquainted with the terms of all these endowments; but, as the body is to be representative, I assume that all local interests will be sufficiently cared for. That is a matter which, I assume, will be settled among the members of the Disestablished Church in a way which will be most to their interest, and, of course, we should be very glad to enter into their views.

With respect to the question of the hon. Baronet (Sir Frederick Heygate), the sum of £1,100,000 which I described as going in satisfaction of the claims of the Presbyterians and Maynooth, I likewise enumerated among the charges on the Church Fund. As to the savings bank funds in the hands of the Chancellor of the Exchequer, I introduced that topic only with reference to the facility that these funds would give us for making advances. Of course that has no bearing on the sources whence the funds would ultimately come. There was one point which I forgot to mention in my speech, and that is that there will be introduced into the Bill in Committee some one clause to enable the Commissioners for the Reduction of the National Debt to lend, and the Temporalities Commissioners to borrow, for the purpose of arranging these transactions.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to put an end to the Establishment of the Church in Ireland, and to make provision in respect of the Temporalities thereof, and in respect of the Royal College of Maynooth.

Resolution *reported.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. GLADSTONE, Mr. JOHN BRIGHT, Mr. CHICHESTER FORTESCUE, and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 27.]

CONTROVERTED ELECTIONS.

MR. SPEAKER informed the House, that he had received from the Judges selected for the trial of Election Petitions, pursuant to the Parliamentary Elections Act, 1868, Certificates and Reports relating to the Elections for the Wick District of Burghs; for the Borough of Bridgwater; for the Borough of Bodmin; for the Borough of Penryn; and for the City of Coventry.

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL.

On Motion of Mr. O'REILLY, Bill for further regulating the Sale of Liquors on Sunday in Ireland, *ordered* to be brought in by Mr. O'REILLY, Mr. PIM, and Mr. PEEL DAWSON.

Bill *presented,* and read the first time. [Bill 29.]

METROPOLITAN COMMONS SUPPLEMENTAL BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to confirm a scheme under "The Metropolitan Commons Act, 1866," *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 30.]

INCLOSURE OF LANDS BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to authorise the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Mr. Secretary BRUCE.

Bill *presented,* and read the first time. [Bill 31.]

PUBLIC ACCOUNTS.

Committee *nominated :* — Mr. AYRTON, Mr. ALGERNON EGERTON, Mr. POLLARD-URQUHART, Mr. GRAVES, Mr. SEELY, Mr. LIDDELL, Mr. WILLIAM FOWLER, Lord FREDERICK CAVENDISH, and Mr. SCLATER-BOOTH.

House adjourned at half after Eight o'clock.

HOUSE OF LORDS,

Tuesday, 2nd March, 1869.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Brazilian Slave Trade (14); Common Law Courts (Ireland) (9).
Withdrawn—Lord Napier's Annuity Bill* (15).

NEW PEER.

Edward Anthony John Viscount Gormanston in that part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Gormanston of Whitewood in the county of Meath—Was (in the usual Manner) introduced.

BRAZILIAN SLAVE TRADE BILL—(No.14.)

(*The Earl of Clarendon.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF CLARENDON said, that before asking their Lordships to give a second reading to this Bill, which proposed to repeal an Act of the 8th and 9th years of Her present Majesty, passed for the purpose of putting an end to the Brazilian Slave Trade, by giving to Her Majesty's ships a right to search Brazilian vessels, he thought it would be proper that he should state the circumstances under which that Act was passed, and those which now seemed to justify its repeal. It was hardly necessary for him to refer to the large scale on which the slave trade was at one time carried on by the Brazilians — he believed he might say without exaggerating, that between 1827 and 1844 nearly 300,000 slaves were imported into Brazil in defiance of treaties and of the reprobation of the civilized world. In 1845, the Brazilian Government notified to the British Government that the Convention of 1826 between the two countries providing for mutual right of search and Mixed Commission Courts having expired, they did not intend to renew it. But although Her Majesty's Government did not deny the right of the Brazilian Government thus to announce the close of the arrangement, still they were not prepared to allow the removal of all check upon this nefarious traffic, which there was now every chance would be carried on on a larger scale than ever. Under these circumstances, Her Majesty's Government introduced a Bill providing that, the Mixed Commission Courts having come to an end with the expiration of the treaty, the Court of Admiralty should have power to adjudicate upon and dispose of all questions arising out of the capture of slave vessels, and the disposal of the property of the owners. The Bill was introduced into this House by Lord Aberdeen, and into the other House by Sir Robert Peel; it passed without any division, and was commonly known as the Aberdeen Act. Simultaneously with its passing, Her Majesty's Minister at Rio was instructed to assure the Brazilian Government of the regret felt by the British Government that no other course was open to them, expressing also a hope that this state of things would not be permanent, and declaring that as soon as the slave trade should have been virtually pulled down, or the Brazilian Government should enter into any treaty or convention to act in concert with the British Government, this right of search and of adjudication should be given up. The provisions of the Act made, as might have been expected, a very unfavourable impression on the Brazilian Government, and they remonstrated strongly against it; but they did nothing whatever to check the traffic, for while in 1845 the number of slaves introduced into Brazil was estimated at 19,450, in 1846 it was 50,324; in 1847, 56,172; in 1848, 60,000; in 1849, 54,000; and in 1850, 23,000, of whom 17,000 were imported during the first six months. The reason of the reduction in the latter half of that year was, that Her Majesty's Government, finding that the trade was more flourishing than ever, and that the Brazilian Government were regardless of their obligations to put an end to it, made a change in the instructions of the commanders of our cruizers, and they were made more stringent. Hitherto our ships of war had been permitted only to seize Brazilian slavers on the high seas, but thenceforth they were allowed to seize them within Brazilian waters and Brazilian harbours and ports. The consequence was that numerous prizes were made, which were disposed of by our Admiralty Courts. This caused great alarm in Brazil, and in 1850 their Government passed a severe penal law against the slave trade, and commenced operations for its suppression. The result was that in 1851 only 3,287 slaves were imported; in 1852, 800; in 1853-4, none; and there was no record of any landing of slaves since 1855, when an attempt was made and ninety slaves were landed, all of whom, however, with the exception of three, were captured by the Brazilian Government. It was only fair, too, to that Government to mention that they had lately manumitted large numbers of slaves who were the property of the Government, and that the tendency of the legislation of Brazil—whether based on abhorrence of the trade he did not know, but certainly based on what they believed to be the real interests of the country—was not only adverse to the slave trade, but was favourable to the entire abolition of slavery throughout the country. Twelve or fourteen years having elapsed without any importation of slaves having been known to have occurred in Brazil, the time seemed to have arrived for fulfilling the assurance made by the English Government that they did not desire the Act of 1845 to be permanent, but were willing that it should cease when the slave trade had ceased. The time, he repeated, had come for repealing an Act which as long as it existed was a standing affront to a nation with whom we desired to be on friendly terms. On these grounds he hoped their Lordships would assent to the second reading of the Bill. Before sitting down, it might be interesting to their Lordships that he should mention that since 1866, there was no authentic record of any cargo of slaves having been introduced into Cuba, an island where the trade used to be carried on to a very great extent. Three attempts to embark slaves on the coast of Africa had been unsuccessful, two of the vessels being seized by British cruizers, and the third being run ashore and destroyed. Looking to the present state and future prospects of Cuba, there was every hope that the trade would cease, and it was satisfactory to know that a notorious individual who had actively carried on the trade on the African coast had lately broken up his establishment and left the country.

Moved, "That the Bill be now read 2ª."—(*The Earl of Clarendon.*)

LORD CHELMSFORD said, that having at the time when the Act of 1845 was passed held the Office of Attorney General, to which he had shortly before succeeded on the lamented death of Sir William Follett, it might probably be taken for granted that he was one of the Advisers of the Government with regard to the introduction of that Bill. Now he begged distinctly to state that he was not consulted at all prior to its introduction, and that the Government acted on the counsels of men of much greater weight and authority than himself. Sir Robert Peel stated, in reference to that Bill, that having taken the advice of the highest authorities in the country, including the late lamented Sir William Follett, their deliberate opinion was that under the Convention, failing the agreement and consent of the Brazilian Government to other measures for the supression of the trade, we were entirely authorized in continuing to exercise the right of search over Brazilian vessels. He (Lord Chelmsford) must confess he always entertained serious doubts as to our right to pass such an Act; but the Bill having been introduced he was, of course, placed in a position of some embarrassment. Being now, however, released from all responsibility, and able to exercise an unfettered judgment on the subject, he must confess that, on renewed consideration of it, he felt surprised that the eminent men alluded to by Sir Robert Peel should ever have thought that the Act was one which this country had any right to pass. He was, therefore, quite prepared to assent to its repeal. His reason for saying so was this—The Convention with Brazil in 1826, after its separation from Portugal, was designed to renew and confirm the stipulations contained in our treaties with Portugal for the abolition of the slave trade, those treaties being dated 1815 and 1817, and their important stipulations being a reciprocal right of search and the establishment of Mixed

Commission Courts for the abjudication of captured slavers. Following out those treaties, the Convention provided, by its third article, that all matters and things contained in the treaties should be applied, *mutatis mutandis*, as effectually as if inserted therein word for word; and the fourth article provided for the establishment of Mixed Commission Courts, providing that they should bear the form of that established by the Convention of 1817. Now the first article of that Convention was the foundation of the Act of 1845. That first article provided that after the expiration of three years from the ratification of the treaty it should not be lawful for the subjects of the Emperor of Brazil to be concerned in the slave trade, and that any person being so should be deemed and treated as guilty of piracy. There was a difference of opinion as to the exact meaning of this article. It was contended by the Government of the day that by this article Brazil agreed to deliver over to us Brazilian subjects engaged in the slave trade, to be treated as pirates. But this was surely a very strained construction, the fair and reasonable view being that Brazil, for the purpose of showing her sincere desire to abolish the slave trade, promised to deal with her own subjects who engaged in it as if they had committed acts of piracy. The object of the Convention plainly was that there should be reciprocal right of search and Mixed Commission Courts, and that Great Britain was authorized to demand the performance of the first article, in case she refused to deal with her subjects in the stipulated manner. Under the treaty with Portugal of 1817 there was power, under certain circumstances, of bringing it to an end at the expiration of fifteen years from the exchange of the ratification; but whether that stipulation was one of those incorporated into the Convention was immaterial, it being conceded both by Lord Aberdeen and Sir Robert Peel that the Convention had been brought to an end. Sir Robert Peel, speaking on the subject, said, "that the Government had the power at its own discretion to terminate the subsidiary Convention of 1842; Brazil had given notice that that Convention had come to an end, and Her Majesty's Government had thought fit to concede the right;" but he added that "there remained in force the original article of the treaty of 1826, and that the object of the Bill was to give effect to the stipulations of that treaty." Now, why Sir Robert Peel spoke of a "subsidiary" Convention it was not easy to understand, for there was only one Convention, and as far as Brazil was concerned all of its articles were as much original articles as the first was. It being admitted that the Convention had been brought to an end, it was assumed that the first article survived and was of lasting obligation; but he (Lord Chelmsford) must say that this was a very extraordinary construction. The article gave the right of search as a distinct stipulation; it was adopted into the Convention from the treaty of 1817. But the Convention of 1826 having been determined, and the Mixed Commission Courts having determined at the same time, it was a strong construction by the British Government that the right of search survived. The object of the Act of 1845 was to continue the right of search, which had been abolished by the termination of the treaty, and to give to the Court of Admiralty the power of adjudication in cases of capture of slavers, which had been expressly excluded by the Act 7 & 8 *Geo.* IV., passed to give effect to the Convention of 1826. This was a most extraordinary way of dealing with Brazilian subjects, and he could not but think that had a stronger State been in question we should hardly have ventured on such a procedure. Brazil would scarcely have allowed the right of search had it not been connected with the establishment of Mixed Commission Courts, and she could never have contemplated delivering up her subjects to our Courts. The Act, too, appeared to have been ingeniously rather than ingenuously framed, so as to avoid mentioning the termination of the treaty, which was obviously a formidable objection to it. Accordingly, the first part of the Convention only was recited, and it was then enacted that for the purpose of carrying it out the 7 & 8 *Geo.* IV. should be repealed, and the Court of Admiralty be allowed to exercise jurisdiction, and the Mixed Commission Court be continued six months for the adjudication of pending cases. If the Preamble had recited that the treaty was at an end there would perhaps have been an end of the Act, as obviously inconsistent with that statement. Formidable objections were urged against the measure by Sir Thomas Wilde, and on referring to the few observations made by himself in reply it would be seen how difficult he felt it to give any satisfactory answer to those objections. The Act ought never to have passed, and he was glad that this standing offence to Brazil was now to be wiped off the Statute-book.

THE BISHOP OF OXFORD said, he was sure their Lordships must have heard with great pleasure the noble Earl's announcement of the cessation of this abominable trade in Brazil, and also of its interruption in Cuba. The most hopeful and healthy feature of the case was the noble Earl's statement that there had grown up in Brazil a state of public feeling most hostile to the traffic. He trusted that this great success would induce Her Majesty's Government to watch for every opening in order to bring about a similar result as regarded the eastern coast of Africa, where, he believed, the slave trade was as bad as it ever had been on the western coast. The half measures adopted by this country had done little more than all such measures in the case of grievous diseases; they aggravated and intensified the symptoms. He believed the trade was carried on with more circumstances of cruelty than at any former time or in any other part of that unhappy country. The necessity of keeping slaves after their capture until an opportunity of escaping our cruisers occurred had led to an amount of cruelty and loss of life in the barracoons where they were confined which was perfectly appalling. He earnestly hoped energetic measures of repression would be taken with regard to the atrocious traffic on the east coast.

LORD CAIRNS said, that the noble Earl's statement of the present state of slavery in Brazil—whether that state had been brought about by our legislation, or whether, as was probably the case, by the improved public feeling in Brazil—must give unqualified satisfaction. The repeal of the Act of 1845 was so right and proper a measure that he was unwilling to take exception to the manner in which it was proposed to be done; but he regretted that, instead of simply and unconditionally repealing the Act, the Preamble stated that the circumstances which led to its passing no longer existed, by reason of the cessation of the importation of slaves into Brazil. No doubt that was the case; but he thought the Act ought to be repealed unconditionally, and not for reasons of cessation. The Act was one which ought never to have been passed, being an attempt by legislation to deal with the subjects and property of an independent sovereign Power, and in the case of a stronger Power than Brazil the Parliament of this country would never have passed it. It was introduced by Sir Robert Peel's Government, and Lord Palmerston, whose opinions on this subject were well known, being at the time in Opposition, the Opposition which would otherwise have been fatal to so anomalous a measure, was neutralized, so that it passed without a division. Sir Robert Peel, in the debate upon the Bill, made a singular admission. He said that it seemed a very strong measure for us to legislate for Brazilian subjects, and that although we had the Treaty of 1826, which stipulated that the slave trade should be deemed to be piracy on the part of Brazil, the Government would not venture to deal by legislation with the persons and lives of Brazilian subjects, but would only deal with their property. Now, if Sir Robert Peel's view of the treaty had been right, and if the stipulation meant that we were to be at liberty on the high seas, or within Brazilian waters, to enforce against those engaged in the traffic the penalties of piracy, we had as much right to proceed against their persons and lives as against their property. Sir Robert Peel's admission was thus really fatal to the measure. The result of the Act had been that since 1845 our relations with Brazil had been kept in a continual state of irritation, and this was not surprising. He should like to have some information on a point connected with the Act of 1845. Some English merchants had for many years had large unsettled claims against the Brazilian Government, and some years ago a Mixed Commission was appointed to investigate the claims on both sides; but after the Commissioners had sat some time, and when the British claims were on the point of being settled, diplomatic relations were broken off in consequence of this chronic state of irritation, and the sittings were suspended. Now, he should be glad to know whether there was any probability of the resumption or re-commencement of the adjudication on these claims.

Earl GREY said, he did not intend to debate a question which was settled more than twenty years ago, but he felt bound to declare his utter and total dissent from the remarks of the two noble and learned Lords who had preceded him. He had been one of the supporters of the Act when it was passed, because he regarded it as one of the wisest and best measures ever submitted to the British Parliament, and it had certainly proved most successful—it had fully answered the purposes for which it was intended, and had prevented a vast amount of human suffering, reflecting therefore, the greatest honour on those by whom it was brought forward and supported. He would not go into legal subtleties as to the meaning of the articles of the treaty, for the question stood on far higher ground. Brazil had solemnly bound herself to do her best to suppress the slave trade, and, in return for that obligation, had received great favours and advantages from us. But she had totally failed to fulfil her obligation and had systematically and deliberately violated the faith she had pledged to us; and under these circumstances it became a great nation like England to look not to particular expressions, but to the substantial merits of the case—to the great and eternal principles of morality; and to say that Brazil having failed to fulfil her promises to put down the iniquitous traffic in slaves, we had the right and having the right it was our duty, in the interests of humanity, to enforce those obligations, and to take the best means of compelling Brazil to execute them effectually. These were the grounds on which Sir Robert Peel and Lord Aberdeen proposed the measure, with the full concurrence of the Leaders of the Opposition of that day, and for himself he must say that he at the time fully concurred in the justice of the measure. He therefore thoroughly differed from the two noble and learned Lords in the remarks they had made on the propriety of the measure of 1845. He would only say further that he had some doubts as to the expediency of passing the Bill which was now before them. It was said there was a great change in the state of feeling in Brazil upon this subject. He hoped that was true; but at the same time he could not forget that if there was any change it had been brought about by the great pressure brought to bear upon them by the law which it was now sought to repeal. He could not forget that, as long as Brazil did really and heartily exert herself to prevent the slave trade, this law would remain a mere dead letter. That it was an affront to Brazil at the time it was passed he admitted, but it was an affront which was richly deserved. He hoped his noble Friend had fully satisfied himself that the conduct of Brazil in this matter was now without fault. He had not looked into the question for some years past, but he was under the impression that some time since Brazil, in spite of most urgent remonstrances, persisted in keeping in slavery a number of persons who had been imported from the coast of Africa, and whom they were under obligations to set free. He believed they were detained under some form of apprenticeship; but he supposed that had now come to a termination. As he understood that his noble Friend had no reason to doubt the fairness of the spirit in which Brazil was prepared to exert herself for the suppression of the slave trade, and of the existence of slavery, he would not oppose the Motion.

Earl GRANVILLE said, he also shared the surprise of the noble Earl (Earl Grey) at the speeches of the two noble and learned Lords opposite. It was hardly necessary in discussing the second reading of this Bill to discuss the merits of the Bill which Sir Robert Peel introduced in 1845. The practical effect of it could only be to strengthen the Brazilian idea that they had a strong reclamation against the international injustice of this country. For himself he believed there was no doubt of the legality of that measure, though it was generally admitted to be of a high-handed character, and that it might be construed into an insult. He believed, however, it was necessary in the then state of the temper and conduct of Brazil. He would not enter into the question of its original legality. He saw no danger in repealing it, for the traffic had long ceased, and the more enlightened feeling which now existed in Brazil and the self interests of the people were a security against the recurrence of the evil. It was very desirable, too, that the relations between two countries which were so closely connected by commerce should be placed on a friendly footing. and the noble Earl (Earl Grey) was quite mistaken in thinking that the Brazilians felt indifferent at present on the subject.

Motion *agreed to;* Bill read 2ª accordingly, and committed to a Committee of the Whole House on *Thursday* next.

COMMON LAW COURTS (IRELAND) BILL.

(*The Earl Granville.*)

(NO. 19.) SECOND READING.

Lord DUFFERIN, in moving that the Bill be now read the second time, explained that an Act had already been passed assimilating the procedure of the Irish Chancery Courts to the English Courts, and that the present measure took the same course with regard to the Common Law Courts. It was framed in accordance with the recommendation of a Select Committee of which distinguished legal authorities were members.

The Marquess of CLANRICARDE viewed with great satisfaction the introduction of the Bill into this House; but, in consideration of its having been only just printed, he deferred the observations he might feel it necessary to make upon it until the Motion for going into Committee.

Bill read 2ª (according to Order), and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at a quarter past Six o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 2nd March, 1869.

MINUTES.] — Select Committee—Poor Law (Scotland), *appointed*; Hungerford Bridge and Wellington Street Viaduct, *nominated.*

Supply — *considered in Committee—Resolution* [Feb. 26] *reported*—Supplementary Estimates.

Public Bills — *Resolution in Committee* — Burials Regulation.

Ordered — Representation of the People Act (1867) Amendment; Game Laws (Scotland); Burials Regulation *.

First Reading—Game Laws (Scotland) [32]; Burials Regulation * [33].

GOVERNMENT CONTRACTORS, 22 GEO. III. c. 45.—QUESTION.

Mr. RYLANDS said, he would beg to ask the First Lord of the Treasury, If it is the intention of Her Majesty's Government to bring in a Bill during the present Session to repeal the Act 22 Geo. III., c. 45, entitled "An Act for restraining any person concerned in any contract, commission, or agreement made for the Public Service from being elected or sitting and voting as a Member of the House of Commons?"

Mr. GLADSTONE: Her Majesty's Government are of opinion that the working of the law in respect to Government contractors is not altogether satisfactory; but at the same time I cannot say that, at the present moment, they see their way to the manner in which it ought to be dealt with, or that they are prepared, considering the business they have yet in hand, to bring in a measure during the present Session. At the same time, it is a matter for consideration, and if any Member of Parliament should think fit to introduce a Bill for the purpose of improving the state of the law in that respect, they would lend to it an impartial and friendly consideration.

IRELAND—THE LIVING OF VALENTIA.

QUESTION.

Sir THOMAS BATESON, who had a Question on the Paper, to ask the First Lord of the Treasury, Whether there is any foundation for the rumour that the Lord Lieutenant of Ireland has refused to appoint to the Living of Valentia, co. Kerry, which is now vacant; and, whether the course pursued by His Excellency has been sanctioned by Her Majesty's Government? said, that considering the statement which had been made on the previous evening by the right hon. Gentleman at the head of the Government, he would not put his Question.

Mr. GLADSTONE: Sir, I trust I may be excused for answering the Question which has not been put to me by my hon. Friend; because, when once a Question has been put upon the Notice Paper it becomes a matter of general interest. What took place in connection with the living of Valentia I believe was this—Valentia has a population of 3,000 persons, of whom seventy-nine, or about one-fortieth part, belong to the communion of the Established Church. Her Majesty's Government have not presumed to come to any absolute and final conclusion with regard to those livings which may become vacant between the time when they came into Office and the time when the judgment of Parliament will be given upon the proposals which they have introduced with respect to the Irish Church. Especially they have not come to any resolution which will prevent them from taking care that the wants of any parish, with a considerable population, are supplied. With respect to parishes of the particular class of Valentia, what we had to consider was, that no great inconvenience would arise to the population from any temporary delay in making an appointment, inasmuch as the present law sufficiently provides the Bishop of the diocese with the means of making provision for the spiritual wants of the living. Under these circumstances, I think the Lord Lieutenant has exercised a sound judgment in not making a new appointment in a case like this, where the population of the Established Church is only about a fortieth or a fiftieth part of the whole population, seeing that that appointment would necessarily create a vested interest for life.

CARDINAL CULLEN AND THE PRIVY COUNCIL OF IRELAND.—QUESTION.

Sir THOMAS BATESON said, he would beg to ask the Chief Secretary for Ireland, Whether, as is stated in some of the public prints, it is in the contemplation of the Government to recommend to Her Majesty that Cardinal Cullen should be appointed a member of the Privy Council in Ireland?

Mr. CHICHESTER FORTESCUE, in reply, said, he was not aware that the statement referred to had been made in any quarter until he had read it upon the Notice Paper. No such intention had ever been entertained by the Government.

TURNPIKE TRUSTS.—QUESTION.

Mr. G. CLIVE said, he would beg to ask the Secretary of State for the Home Department, Whether any legislation on the subject of Turnpike Trusts is contemplated during the present Session?

Mr. BRUCE, in reply, said, that the Government had no intention of introducing such a Bill this Session.

POOR LAW AMENDMENT BILL.

QUESTION.

Mr. KAVANAGH said, he would beg to ask the hon. Member for New Ross, If he will kindly consent to postpone the Second Reading of his Poor Law Amendment Bill from the 7th to the 14th of April?

Mr. M'MAHON said, he was sorry that he could not accede to the request.

NAVY—ROYAL NAVAL RESERVE.

QUESTION.

Mr. HANBURY-TRACY said, he would beg to ask the First Lord of the Admiralty, If his attention has been called to the present condition of the Royal Naval Reserve; and if it is his intention to introduce any measure to increase its efficiency?

Mr. CHILDERS, in reply, said, his attention had not been called in any specific manner to the condition of the Reserve; but that he would state the course which the Admiralty proposed to adopt with regard to it when he moved the Navy Estimates.

AGRICULTURAL LABOUR COMMISSION.

QUESTION.

Sir JOHN HAY said, he would beg to ask the Secretary of State for the Home Department, How many English Counties have been visited (including those now under investigation) by the Assistant Commissioners appointed under the Commission on the employment of children, young persons, and women in agriculture; and, whether it is the intention of the Chief Commissioners to obtain any evidence in Scotland illustrative of the many subjects touched upon in the first Report of the Commission?

Mr. BRUCE, in reply, said, he might be permitted to answer the Question by enumerating the counties that had not been visited. These counties were Lancashire, Staffordshire, Yorkshire, Shropshire, Derbyshire, Worcestershire, Hertfordshire, Cornwall, and all Wales. With respect to Scotland, the powers of the Commissioners did not extend to that country; but it was under consideration whether their inquiries should not include Scotland.

INDIA—THE RECENT ACCIDENT AT THE BHORE GHAUT.—QUESTION.

Sir STAFFORD NORTHCOTE said, he would beg to ask the Under Secretary of State for India, Whether any and what kind of inquiry has been or is to be instituted into the circumstances of the recent fatal accident at the Bhore Ghaut on the Great Indian Peninsula Railway, and whether any steps can be taken to guard against such occurrences in future?

Mr. GRANT DUFF, in reply, said, that the Government of Bombay had decided to appoint a Commission to inquire into the circumstances of the accident, and that a Bill was to be introduced into the Legislative Council to give that Commission full powers as to taking evidence. Meanwhile precautions had been taken to prevent passenger trains entering on the Bhore Ghaut incline when it appeared to be in a dangerous condition.

POOR RELIEF ASSESSMENT.

QUESTION.

Mr. GOURLEY said, he would beg to ask the President of the Poor Law Board, When he expects to lay upon the Table of the House a Return of Poor Relief Assessment, ordered on the 18th February, 1868?

Mr. GOSCHEN, in reply, said, that the Returns had not been printed because much of the information to which they related was to be found in the proceedings of the Select Committee appointed to inquire into compound-householding.

METROPOLIS—HYDE PARK.

QUESTION.

Mr. W. COWPER said, he would beg to ask the First Commissioner of Works, Whether the large accumulations of refuse from brick-kilns, that now cover the green slopes of Hyde Park, near the lower end of the Serpentine, have been placed there in the hope that they will imitate rock-work; or, if not, for what purpose they have been brought there?

Mr. LAYARD, in reply, said he could assure his right hon. Friend that he had not the slightest intention of cheating him or any one else into the belief that the brickwork was intended for rock-work. What his right hon. Friend, with a poetical licence, called "the green slopes" of Hyde Park formed merely the banks of a very dirty ditch, through which fell the outcome of the Serpentine. The brickwork had been placed there simply because it would form a good foundation for the subsoil in which certain shrubs were to be planted. He hoped that in a short time the plantation would be completed, and the offensive sight removed.

METROPOLIS—VICTORIA PARK.

QUESTION.

Mr. C. REED said, he would beg to ask the First Commissioner of Works, What portion of the Royal Park, known as the Victoria Park, has been leased for building sites; what average annual revenue is derived from the land so leased; what is the value of the land yet remaining unleased retained for the Park; what is the average annual cost of maintaining the Park; and whether, having regard to the population in the Eastern part of the Metropolis, the Government will sanction the permanent retention of such lands as are unleased for the public advantage?

Mr. LAYARD, in reply, said, that every part of his hon. Friend's Question, except one, belonged to the province of the Commissioner of Woods, but he had obtained the information necessary to enable him to give an answer. With regard to the first part of the Question, he had to state that no part of Victoria Park had been leased for building purposes. The Crown possessed property in that quarter, consisting of 265 acres, part of which was appropriated to Victoria Park, the remainder, under two Acts of Parliament was leased by the Commissioner of Woods for the purposes of revenue and for the maintenance of the Park. The present revenue derived from the land so leased was £1,500 a year. The value of the land still unleased was, he understood, about £4,000 a year. The average annual cost of maintaining the Park was £6,300, consequently the annual rental of the Crown land when the whole was leased would go far towards meeting it. With regard to the last Question, he would say that the Government had no power to retain those lands under the Act. They were leased by the Office of Woods for the benefit of the revenue and the maintenance of Victoria Park.

NAVY—AUSTRALIAN PRESERVED MEATS.—QUESTION.

Mr. LUSK said, he would beg to ask the First Lord of the Admiralty, If his attention has been directed to the reports in the public journals of the large quantities of Australian and other preserved meats that are offered for sale at about six pence per pound; if he has seen the favourable statement of His Royal Highness the Duke of Edinburgh in regard to the Australian preserved meat published in "The Times" of 2nd November, 1868; and, whether, seeing that the preserved meats produced at the Deptford Dockyard (according to Parliamentary Return, No. 353, of last Session) cost eleven pence per pound, he intends to continue to supply the Navy with that manufactured by Government, or to buy in the open market?

Mr. CHILDERS: I beg to inform the hon. Gentleman and the House that, so far back as 1865, the attention of the Government was called to the possibility of obtaining meat for the use of the navy from the Australian colonies at a lower cost than that which was purchased in this country; and inquiries took place through the agency of one of the Australian Governments, which did not at that time end in any satisfactory arrangement being made. However, during the past year the question has been revived again, and before the present Board took Office a certain quantity of Australian preserved meat was purchased and issued to different ships, in order that the opinion of the officers and crews of those ships might be had as to the value of the meat. From many of those ships replies have been received, the greater part of which are of a satisfactory character; and, at the present time, the Admiralty are preparing a notice for tenders for the supply of a certain quantity of preserved Australian beef of the present year. I shall be able to state, on Vote 2 in the Navy Estimates, the probable financial result of such an arrangement if it is satisfactorily carried out.

ECCLESIASTICAL TITLES ACT REPEAL BILL.—QUESTION.

Mr. NEWDEGATE said, that the second reading of this Bill stood on the Orders for Thursday, and he begged to ask the hon. Member for Meath on what day he intended to proceed with that Order? and to give him Notice that unless a day was fixed giving a reasonable and proper opportunity for discussion he would oppose the postponement of the Order on Thursday next.

Mr. Mac EVOY said, that he stated last night, in answer to the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), that he was not then in a position to name the day, nor was he now; but he hoped on Thursday night to fix it, and it would be the most convenient he could find after Easter.

INDIA—THE GARRISON OF KOHAT. QUESTION.

Mr. WYLLIE inquired of the Under Secretary for India, What truth there might be in a very alarming rumour to the effect that the garrison of Kohat had been surprised by a party of Oorukzais, and that the British had sustained a loss of 300 men?

Mr. GRANT DUFF thanked his hon. Friend for having given him an opportunity of immediately contradicting a rumour which must have caused such terrible anxiety that day in so many English homes. The real state of affairs would be best shown by his reading a telegram from the Viceroy, dated Calcutta, Feb. 27. It was as follows:—

> "On the 13th inst. party of Oorukzais surprised police post near Kohat when police were asleep. Three men taken away. One killed. Lieut.-Governor has authorized Colonel Keyes to make a day's march from Kohat into the pass for the purpose of punishment."

A later telegram said that Colonel Keyes's expedition had been a success.

DEPARTMENT OF AGRICULTURE. MOTION FOR A SELECT COMMITTEE.

Mr. ACLAND, in rising to move for a Select Committee to inquire into the action with reference to Agriculture of various Public Authorities, with a view to consider the expediency of recommending that some one Department be made responsible for dealing with administrative and legislative questions affecting Agriculture, said, he did not propose to revive the debate on local taxation which had been opened by his hon. Friend (Sir Massey Lopes) the other evening in a speech remarkable for its ability and for the success which had attended it. He differed from the hon. Baronet in many respects, but when he gave notice on the first night of the Session of his wish to move for a Committee to inquire into the incidence of local taxation, it was not his intention to trespass on a subject which his hon. Friend had made his own. His object merely was to clear up certain questions as to the relation between tenants and landlords, and between country parishes and town parishes, upon which there had been a great deal of misunderstanding, tending to create an undue sense of grievance, and an expectation of remedies which he thought impossible. He did not wish to anticipate another debate, to which country Members were looking forward with great interest on the introduction by Her Majesty's Government of their intended measure for the establishment of County Financial Boards. Neither was it his intention to ask for the appointment here, as in foreign countries, of a Minister of Agriculture, whose duty it would be to nurse up farmers. But what he did intend was to move for a Select Committee to inquire into the action with reference to Agriculture of certain Public Authorities. It had been said that his proposal was to introduce new functionaries, new officers, new salaries, and in fact, as he had heard it stated that morning, a new "Circumlocution Office." But that was not the case. Public authorities were already engaged with a great deal of business which affected the interests of agriculture and the production of food in this country. The public authorities connected with that subject were of two kinds, local and Imperial. Among the local authorities were magistrates, Boards of Guardians, Highway Boards, Turnpike Commissioners, Sewers Commissioners, and Commissioners of Taxes. But he did not propose an Inquiry into all the details of those various local bodies. He desired more particularly to direct attention to the Imperial authorities established in the metropolis; and they included the Home Office, the Privy Council, and the Board of Trade; while subordinate to these were the Copyhold and Inclosure Commissioners, the Cattle Plague branch (when called into existence by the Privy Council), the Health Office, the Local Government Office, and the Statistical Office of the Board of Trade. It was not a question of creating new offices or cutting out new work, but of re-distributing existing work and concentrating and fixing responsibility. What was desired was that there should be a Department generally accessible to those interested in agriculture, and that it should be represented in Parliament by some responsible Minister. He did not, on that occasion, appear as the representative of an aggrieved interest, nor to plead for a re-adjustment of burdens as between different descriptions of property. He did not ask the House to charge on the mercantile classes the burdens at present borne by the land, still less did he ask the House to tax the hard earnings of the professional man for the benefit of agriculture. But he asked the House gravely to consider this question—were there, or were there not, in the laws of England as they now stood, or in the relations of those who, in different ways, were connected with landed property, causes which tended to impede the application of capital to the cultivation of the soil? Agriculture in these days was mainly a question of capital; and he asked whether the laws of holding and the tenure of land, the administration of the law, and the powers of various authorities, local or Imperial, tended to hinder the free and secure use of capital in agriculture? He was not aiming at centralization. He had not forgotten the words of the President of the Board of Trade last Session, nor had he forgotten the kind words uttered by the right hon. Member for the University of Oxford (Mr. Gathorne Hardy), in which he warned him that in any plan for promoting a better system of local government, it must be borne in mind that the impulse must come from without. He thought he should not be accused of unduly promoting centralization if he said that the following were legitimate functions for a central authority, namely—first, to remove obstacles to the employment of capital arising from obsolete customs or bad legislation; secondly, to endeavour to protect the weak from having their money spent for them on imprudent outlays, and to prevent the cost of improvident works from being cast upon posterity; thirdly, to collect, test, systematize, and diffuse correct information on agricultural subjects. Only that morning he heard some practical farmers talking of the agricultural statistics laid before the House by the statistical branch of the Board of Trade. They spoke warmly of the use of those statistics, but thought they ought to be more rapidly collected, and brought out as soon as possible after the harvest to be of service to the farmers, whereas, at the time they were now published they only enabled them to guess at what other people were doing with the wheat they had grown. In the fourth place, in cases where they had to struggle against obsolete customs and petty local interests, and where they could not make progress without the concurrence of those locally interested, he thought the State might take the initiative in stimulating local action, and guard against improvident expenditure. Lastly, he thought it a legitimate function for the Executive Government, under the sanction of Parliament, to raise a standard of professional competence for persons intrusted by law with responsible public duties affecting the interests of others. We plumed ourselves on being essentially a practical people, who thought that scientific knowledge was likely to mislead men rather than to be a safe guide to them in the management of their affairs; but those who had reflected upon the sufferings of the lower orders, and had examined into the misery existing among the crowded population of towns, and the scattered population of villages, must feel convinced that it was of the utmost importance that men charged with public responsibility should give some proof of sound education and scientific knowledge. But, supposing an Agricultural Department to have been appointed, it might be asked, what on earth was there for it to do — and what did they want with a Department to help people to do that which they could do better for themselves? He would answer by enumerating five of the subjects which, in his opinion, required the intervention of the best knowledge, guided by the best experience which the country could produce. Some of these were already in action in various branches of the Executive, while others were in their infancy, though, he thought, it would be admitted that they were all subjects which were growing daily in importance. The first related to the exchange and transfer of land, and the improvement of land and cottages. Those who had watched the proceedings of the Commission appointed to inquire into the employment of women and children, and who were aware of the disclosures which would probably result from that investigation, as to the condition of cottages in this country, would admit that he was not now speaking of a subject which was unimportant in itself, or of one which had not been carefully attended to by many proprietors of the soil. It was, however, also true that over a very large proportion of the land in this country cottages were in a very neglected state, and in need of the most careful attention on the part of the Legislature. Many of of the duties connected with this subject were already discharged by the Copyhold and Inclosure Commissioners. In the next place, there was the whole question of internal communication in the country. He was not here going to speak directly of railways, although he must repeat, in passing, what he had said last year. His remarks, on that occasion, had since been greatly misrepresented. It had been alleged that he had brought forward a Motion for saddling on the overburdened ratepayers broken-down railways, and branches of railways which did not pay as commercial enterprizes. The proposal which he really did make was originally suggested to him by a Conservative county Member, now deceased; and it was to the effect that one of the functions of the projected Department should be to facilitate the construction of railways on a cheaper system than was usually adopted, and to push them into holes and corners of the country where, as ordinary investments, they would not be successful. But what he thought called for early legislation was this,—to bring under some combined system of management the whole of the roads and bridges in the rural districts. In every county there were a number of bridges, with 100 yards of turnpike road on either side of them, under the management of irresponsible Justices of the Peace; then there were the highways, under the supervision of the Highway Board, and then roads under the Turnpike Commissioners. With regard to the bridges, he believed a fearful indictment might be made out against our ancestors by simply printing a map indicating the positions of the county bridges, with reference to the county histories, showing what families were connected with the districts where the bridges had been erected. He understood that the late Secretary of State for the Home Department had contemplated introducing a Bill to establish a uniform system of county management for roads, and he hoped the idea would be carried out by the present Government. There was obviously a great waste of money in consequence of there being three or four systems for the management of roads and bridges, and the aid of Parliament and of a wise and vigorous Executive was required in order to bring about a change in the existing state of things. The third subject to which he would draw attention was the regulation of the cattle traffic. Of course that subject came under two heads, but he referred not so much to the importation of cattle from abroad as to internal traffic. Cattle were frequently sent very long distances, and as a matter of humanity to the animals themselves this was a subject which ought to be no longer neglected. The fourth subject he would refer to was the management of water-courses or river basins on a large scale, with a view to drainage, irrigation, sewage, and the water supply of towns. The latter question, of course, could not be separated from that of the proper use of water in agricultural districts. Fifthly, there was a subject which of itself would have justified him in considering the question he had brought forward; and in regard to this subject he could appeal to the high authority of the right hon. Gentleman who now occupied the Chair, and with whom, in 1847, he was associated in supporting the Bill introduced by Mr. Pusey, Member for Berkshire. For fear of provoking controversy, he would not state by what influences the progress of that measure was impeded. However, it reached a Select Committee, and came out of it with several important provisions, one of which was that the compensation of outgoing tenants should be arranged by two valuers and a third person to be appointed by them; but in the event of their being unable to agree the third person or umpire was to be appointed by the Inclosure Commissioners. Sanctioned by so high an authority, he would suggest as a fifth subject, which might be safely and usefully delegated to a public authority connected with agriculture, the appointment, when called upon by the parties interested, of an independent umpire to secure fair play to both parties in regard to the compensation of outgoing tenants. This was a somewhat delicate subject to touch upon, as the tenant-farmers were not directly represented in that House to any great extent. Many county Members must know very well that the great hindrance to the increase of the production of food in this country was that farmers could not always farm with confidence. They could not look forward more than six months; for though there were counties in which, by a mutual good understanding between the landlord and tenant, many valuable and liberal customs had grown up and considerable confidence existed on each side, yet he regretted to say that that confidence was not felt in other parts of the country. Farmers, following new modes, could not feel secure with less than four years before them. If he were to relate what had come within his own knowledge during the last three months, and were to repeat what had been said to him by many electors as to their reasons for voting in a particular way, hon. Gentlemen would, he thought, admit that this subject was a very important one. The difficulty to be overcome arose from the circumstance that, although some permanent improvements—such as those in fencing or farm-buildings—were capable of precise statement and arithmetical division according to the number of years over which they respectively extended, yet such a test could not be applied to the condition of land and the state of the tillage. There was an element of uncertainty in the question of compensation for crops and manure which must at last call for the services of valuers, and the difficulty was that both the landlord and the tenant-farmer distrusted the men. He felt assured the farmers wished for nothing but justice in the matter, and that the visionary views in that respect which used to be entertained had been abandoned. He hoped, he might add, that the principles which he sought to recommend would not be looked upon as being at variance with ordinary economic action; and now came the question what were the arrangements which would be likely to work best in carrying into effect the objects to which his Motion related. He had very little experience as to the discharge of official duties, but he would mention a plan which had been suggested to him by a gentleman who was intimately acquainted with the subject which he had ventured to bring under the notice of the House. That plan was to unite all that related to health and agriculture under one new Department, to be called the Ministry of Health and Agriculture. Such a scheme was, however, in his opinion, open to the objection of being much too large and too novel to be projected full grown at once before the public mind. He thought it therefore better, on the whole, to look in another direction. A gentleman of very great practical knowledge had informed him that he thought the best thing which could be done was to build on the Inclosure Commission, to expand the duties of that Commission, to concentrate the offices under one head, to bring that head under one of the higher Departments of the Government, and to place in such hands all the duties which might grow up in connection with land. Now, that was a plan which was not, perhaps, very different from the scheme which he would wish himself to propose; for notwithstanding the Motion which had been made by the hon. Member for Chippenham (Mr. Goldney) it was, he believed, the fact that the Inclosure Commission still stood upon the Estimates for something like £20,000 a year. It was quite true that a system was growing up, having been set on foot by the Chief Commissioner (Mr. Darby) by which the expense of working that Commission would be thrown on the parties interested, still the charge remained in the Estimates; and between the money which had been voted for the Commission and the future receipts of the Commission there would be abundant money to meet the expense of any Department or branch connected with agriculture which the House might wish to set on foot at the present time. In the Estimates there were expenses amounting to considerably over £100,000 a year for subjects connected with agriculture, and of that amount upwards of £70,000 he thought he found was spent in salaries more or less connected with agriculture. And yet everybody was under the impression that there was no branch of the Government responsible for dealing with agriculture, and no one Office to which farmers could go with confidence for assistance. There were, in his opinion, very strong reasons why the Board of Trade instead of the Privy Council should be looked to to deal with the new duties, and his right hon. Friend the President of the Board of Trade would have felt gratified if he had been behind the scenes that morning and witnessed the proceedings of a sort of farmers' parliament which had been held at the Salisbury Hotel for the purpose of expressing their views on the subject. Among the practical men thus assembled a general disposition had been manifested to look to the right hon. Gentleman and his Department as likely to do for them that which they had so long wanted. After a very searching discussion, the meeting had, he might add, come to the resolution—

> "That this Chamber considers it desirable that there should be a separate Government Department for Agriculture, presided over by a permanent officer."

Now, he thought he might presume to interpret that resolution, which had been unanimously passed in the following way:—The meeting did not, in his opinion, mean by the words "a separate Government Department," the creation of a new responsible Minister, because the idea of many was that a Minister of Agriculture was not a thing to be thought of for one moment. The words, "a separate Government Department" might, therefore, be fairly construed to mean a distinct branch in a Government Department, while the words "permanent officer" might be regarded as meaning a gentleman of the same intelligence and skill as were known to be possessed by such gentlemen, for instance, as were at the head of the railway and marine branches. The names of Mr. Porter and Mr. M'Gregor had been mentioned at the meeting as having rendered great service to the trade and agriculture of the country in former times. The words "permanent secretary" were employed in the resolution as first proposed, but it was dreaded that if it were adopted in that shape a gentleman might be appointed who would have to go out of Office with the Government of the day, and that agriculture would come to be made a party question, which was looked upon as being likely to prove extremely prejudicial to the agricultural interests. As to whether the subject could be best dealt with by a Committee or a Commission, he would only say that was a question with respect to which he did not desire to press his own views upon the

House, and he should be perfectly content to leave the matter, where it should be—in the hands of the Government. He would not offer any general observations on the subject, beyond saying that whatever tended to hinder the application of capital inevitably tended to depress the labouring class, and ultimately to injure the interests of the great landed proprietors of this country. The hon. Gentleman concluded by making the Motion of which he had given Notice.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the action with reference to Agriculture of various Public Authorities, with a view to consider the expediency of recommending that some one Department be made responsible for dealing with administrative and legislative questions affecting Agriculture."—(*Mr. Acland.*)

MR. GOLDNEY said, he had been connected with agriculture for a good many years, but he had that night heard of a good many calamities to agriculture of which he had never heard before. He would not offer any opposition to the Motion if he believed that any practical result was likely to be arrived at by the appointment of such a Committee; but it would be impossible and absurd for any Committee to attempt to deal with one-tenth of the subjects as to which the hon. Member (Mr. Acland) had addressed the House. He had taken down the heads of these subjects as the hon. Member proceeded with his address, and their number and variety were really astonishing. First he was desirous that the relations between landlord and tenant should be settled; then those between country and town parishes; next, that County Financial Boards should be formed not only to grapple with subjects as to which complaints had been made to the House, but upon a still wider basis. Local authorities and magistrates, who at present acted, it was almost alleged, improperly, were to be superseded; and not only they, but Imperial authorities likewise. For instance, the Home Office, the Board of Trade, the Inclosure Commissioners, the Board of Health, the Stationery Office, and several others were to be amalgamated, and their functions transferred to some office of agriculture, which was to possess representation in Parliament. The laws of England also were to be brought under review, more especially those containing clauses affecting the employment of capital and labour; the employment of capital was to be assured; the existing law, which, according to the hon. Member, tended to prevent the investment of capital, being revised with that object, and some system of local government devised under which the money spent by the farmers would be secured to them. "We," said the hon. Member, "are struggling against local interests." He did not explain who "we" were, but went on to contend that there should be a standard of computation for valuers. Not content with an enumeration of general subjects, the hon. Member had invited attention to several others having branches which would require attention at the hands of the Committee. His first head, being the general subject of the transfer of land, it branched off into the improvement of land, and the improvement and sanitary arrangements of cottages. Head No. 2 took a wider range, and affected the whole internal communications of the country. There was to be a combined system of management with regard to turnpike roads, county bridges, and so forth. But the hon. Gentleman must know what a time was occupied last year upon one of these subjects alone—that of turnpike roads; and the Home Secretary had now declared his intention not to deal with that question, because it was not yet ripe for legislation. The third head related to the regulation of traffic; the fourth covered the drainage and water supply of the kingdom; while the fifth launched into the matter of compensation to outgoing tenants. This question of compensation was treated as a great grievance, and the hon. Member spoke of the timidity of landlords as a difficulty in the way of its settlement; but the matter settled itself by a valuation between the incoming and the outgoing tenant, and all that the landlord had to do was to hand over the farm from one to the other. How, therefore, there was room for timidity on the landlord's part he really did not know; and he had never heard of any case of the kind in which, if a difference as to value occurred between the two parties, there had been any difficulty in finding an umpire. Latterly a very general practice had grown up, under which the terms of the letting and holding were stated in writing, and very much simplified matters between the parties. But even that did not satisfy the hon. Gentleman. Not content with an umpire, he sought the intervention of some public body. The hon. Member claimed credit for having shown that a necessity existed for the various measures which he had suggested. He had certainly suggested a great many more than could ever be carried out in any Session of Parliament. It would be far better to take up some one subject and grapple with its difficulties than to launch out into general platitudes affecting the subject of agriculture. He quite agreed with the hon. Member that any grievances affecting the agricultural interest should be redressed, and all he believed that the agricultural interest and those representing it wanted was fair play.

Sir STAFFORD NORTHCOTE said, he could not but think that whilst there was much force in what was said by the hon. Member who had just sat down, he still had, to some extent, misapprehended the hon. Gentleman who moved the Motion. He (Sir Stafford Northcote) thought that the object in the statement which had been made, was simply to lay the ground for inquiry as to whether it was desirable to institute a Department that should look to such of these matters as were fit to be attended to by a Department of the Government. Upon that point they were anxious to hear the opinion of the Government; and from his own experience in connection with the Board of Trade, he was satisfied that some improvements in the organization of Government Departments was desirable. There were a great many questions which were now unfortunately distributed between different Departments, such as the Board of Trade, the Home Office, the Privy Council, and various other Departments; and it was an object of considerable administrative importance to see whether some arrangements could be made to bring such matters into a state of greater efficiency; and he hoped that in some form or other the Government itself would agree in the appointment of a Committee. He thought that if they entered into an inquiry they should do so without committing themselves upon the subjects to which he had adverted. He hoped that if they supported this Motion, or gave any encouragement to the opinion that something was required to be done, they would not be held to express any opinion upon the various details to which attention had been drawn. He also hoped that they would not on that occasion be led into a discussion of the merits of the different questions that had been adverted to. His hon. Friend (Mr. Acland) was bound to make a *primâ facie* case in support of his Motion; but in doing so he might possibly have expressed himself in a way which to some hon. Members seemed open to question.

Mr. PELL said, that he agreed to a great extent with what had fallen from the hon. Member for North Devon (Mr. Acland), though he could not go so far as that hon. Member had done. Without going into details, he thought that it would be admitted by everybody who was in any way acquainted with land, that considerable inconvenience, if nothing more, arose from present arrangements as to questions which were of great importance to the owners of land and to agriculturists. At a time of which the House must be sick of hearing, though to agriculturists it was one of terrible trial and suffering, it was with the greatest difficulty that the owners or occupiers of land could ascertain to what Department they were to go for information and relief. They went to a variety of offices, and eventually found themselves among pens, ink, and paper, in some office not far distant from the House of Commons, and connected with the Stationery Department. But, although they were thus shifted from office to office, they did not find that any greater consolation was given to them. As far as he was concerned he thought that the question of the relations of landlord and tenant was far beyond the province of any such inquiry as was now sought for. It appeared to him that the settlement of that question ought to be left to the parties themselves who were immediately interested in it. The House would no doubt agree with him in thinking that the health of the people and the fertility of the soil were intimately connected, and that the main object of legislation in respect to those two points ought to be the getting rid of a vast quantity of matter from towns which was calculated to injure their health, for the purpose of applying it to the land where it would greatly promote agricultural interests. With this subject a Department of State might deal most efficiently, but no private Member could deal with it. If there were, as alleged, tracts of land we should have difficulty in cultivating, there were large tracts of land, well situated with regard to climate and elevation, which remained sterile, because there was no statesmanlike arrangement for utilizing upon them the waste of great cities. In this matter alone there was a greater field of usefulness for a statesman than there was in attempting to interfere in the relations between landlord and tenant.

MR. NEWDEGATE said, the hon. Member who spoke last but one ably pointed out a vast variety of functions which the Motion of the hon. Member for North Devon (Mr. Acland) contemplated to be discharged by one permanent official. It had been stated, and with truth, that, owing to the fulfilment of the greater part of the work with which the Inclosure Commissioners had been intrusted, that the Commission was approaching the point of dissolution; he (Mr. Newdegate) supposed that their complaints had touched the feelings of the hon. Member for North Devon. And then the hon. Gentleman spoke of the advantages of referring those matters to the Board of Trade. Now, he (Mr. Newdegate) heard a complaint uttered the other day which might also touch the feelings of the hon. Member for Devon—a complaint emanating from the right hon. Gentleman the President of the Board of Trade—namely, that the functions of that Board were purely consultative, and he said that he should be glad to be intrusted with some administrative functions. If the Motion of the hon. Member for North Devon were adopted, the right hon. Gentleman would no longer have occasion to utter such a complaint, inasmuch as he would then have an abundance of active duties to discharge. Although the hon. Gentleman said he did not attempt to establish a central authority, every word he spoke pointed to the establishment of a central authority with a power that would operate in the shape of a direct interference with the ownership and the occupation of land. He (Mr. Newdegate) remembered the Bill to which the hon. Member for North Devon referred as having been introduced by himself with reference to this subject and brought before the House years ago. The result of the consideration of the matter then was that he (Mr. Newdegate) moved for a Committee to inquire into the subjects appertaining to agriculture, inquired into the agricultural customs, the conditions on which land was occupied throughout England and Wales. It was in 1848 the Committee was appointed, and the result of their investigation was a direct recommendation that no specific legislation on the subject should be adopted; for the circumstances of the various localities, of the individuals holding land, and their tenure, was so complex that it was impossible to frame any general law to regulate them. The Committee, however, recommended that every facility should be afforded for carrying out and the giving effect to voluntary agreements which should be made in writing between landlords and tenants, and an alteration of the law with respect to fixtures was made. He was happy to see that since that period the practice of such written and specific agreements was gradually increasing. Those written documents being stamped were legally producible in Courts of Law, and the conditions under which they were given could of course be enforced. These agreements might be made to comprehend, not only buildings if erected by the tenant, nor roads and fences if erected by the tenant, but drainage, if carried out by the tenant, but also the application of manures and certain other processes of cultivation. All the subjects alluded to might thus be comprehended in a written form, and under such an arrangement the relations of landlord and tenant might be certified in such a manner as to prove serviceable to both parties. When the hon. Gentleman said there were impediments to the application of capital for agricultural purposes, he should recollect that the agriculture of this country was in advance of every other country in the world. Although admitting that there remained something still to be done in the way of improvement, surely no one would say that the process by which agricultural interests were advancing so rapidly ought to be interrupted. In Ireland a large proportion of the land had returned to grass. That was the effect of legislation. Years ago the Freetraders had insisted that a larger proportion of the land of this country ought to be devoted to the production of meat, and argued that the supply of fresh meat was far more important than the production of corn. But how was the view of the hon. Member for North Devon to be reconciled with that of those who hold that agriculture in this country was advancing? An hon. Member near him, whom he had had the pleasure of hearing that evening for the first time, called attention to the advantages arising from good supplies of water, and the application of the sewage of towns to the land. He (Mr. Newdegate) would remind him and the House that an hon. Gentleman, a relation of the Speaker, who had proved himself to be as able a public officer as had ever served Her Majesty either at home or abroad, was at that moment engaged in an inquiry upon this subject with the view of recommending such general measures as were material for the promotion of the best interests of the country—for the establishment of outports for the main arterial drainage of towns and the conservation of water for the purposes of irrigation. That gentleman was Sir William Denison, who has undertaken to discharge this important task. With respect to the utilization of the sewage and the application of town manure to the land that system was being rapidly carried out in his own immediate neighbourhood with the best result. In the requirements made for the establishment of a central authority in respect to agriculture, it was remarkable the tendency to reaction in the course Parliament was pursuing. There was a tendency to reaction, and it had assumed a curious form; it was a tendency towards Imperialism that was marked in the allusion which the hon. Member for North Devon had made in commendation of the French administration of roads. The House should beware of this Imperialistic tendency towards reaction. He remembered the day when the agricultural interest was congratulated on being liberated from the swaddling-clothes of Protection. It appeared to him that they were trying to envelope agriculture in the swaddling-clothes of official interference. As a county Member who had witnessed the progress of all those improvements in agriculture he could not accept the maternal care of the hon. Member for North Devon. And he should feel much disappointed as to the effects of the Reform Act if he did not find that the interests of the tenant-farmers, aided now by the influence of the £12 occupiers, received due attention in that House. He, however, would warn the tenant-farmers against that interference with their interests which they had seen in the course of the legislation of the last Parliament. He referred especially to the late Act in respect of the Poor Laws, in which powers of taxation were granted to the Poor Law Board, and of interference with the discretion of the Guardians in the appointment of their own officers. Those powers went far to abrogate the principle of self-government and of local taxation. And when the tenant-farmers were asked to subject themselves to that which was in the nature of Imperial official interference, he for one would recommend them to pause and submit the points on which they wished to be governed by law rather than allow it to be supposed that they desired the superintendence of direct, uncontrolled official interference.

Lord HENLEY observed that if a Committee were appointed to consider one of the subjects which had been named — that of roads — much good might result from it. Some counties had their roads under the management of the Highway Boards, while in other counties that was not the case. As far as his experience enabled him to judge he found the Highway Boards worked better than he could have expected them to do; but on the whole he should like to see the system extended so that the minimum area of road management should be the highway district. He believed it would be impossible to have any general measure applicable to all the turnpike roads, but there were a great number of turnpike roads which would soon come on the rates, and the ratepayers would not receive them with satisfaction. The ratepayers were calling for a larger area on which turnpike roads might be charged. Though he would be glad to see turnpikes abolished, he admitted it would be rather hard on small parishes to have to pay the whole expense of turnpike roads. He should wish to see a larger district, whether the highway or the county district. He also thought the subject of bridges in rural districts ought to be taken up by the Committee, as there frequently occurred conflicts between parish and county authorities in respect to the obligation of erecting bridges in places where they were absolutely necessary, but where, in consequence, the erection was indefinitely postponed, to the great inconvenience of the inhabitants in the neighbourhood. The highways, the turnpike roads, and the bridges would afford a Committee ample material for inquiry.

Mr. CORRANCE remarked upon the incongruity of the many subjects that had been grouped together by the hon. Member as subjects for inquiry by a Committee. The legislation, he said, which had been effected recently, in respect to agriculture, was of a very haphazard character. At the time of the cattle plague he had been in correspondence with no less than three Departments of the Government on that subject — namely, the Home Office, the Board of Trade, and the Board of Education. From the first Department he received a courteous and official reply; from the second a considerate answer; and from the third such a response as impressed him with the notion that that Board had not much knowledge of the subject upon which it was writing. It appeared to him that they were in want of some distinct and definite Government authority to whom they could apply in all such cases. Some few days ago a Question was asked the Government in that House whether there was not a recent outbreak of the cattle plague in Germany? The answer was, that the Government had no cognizance whatever of such circumstance; but the right hon. Gentleman opposite (Mr. W. E. Forster) added that the Dutch Government having received such intelligence had sent a special commission to inquire into the facts. Now, that statement suggested to him (Mr. Corrance) the necessity for the establishment of an authority in this country to take special cognizance of such matters, and to institute a special inquiry into them, as the Dutch Government had done. The hon. Gentleman who introduced this Motion intimated his desire to bring this question of rates under Imperial management. He (Mr. Corrance) trusted that the cost would be provided out of Imperial funds. He confessed he entertained a strong opinion as to the supervision of the Board of Trade in those matters of agriculture—an opinion which was confirmed by what had recently taken place. Some few days ago they had received an assurance from the Head of the Government that the question of local taxation would receive the best consideration of the Government. In a short time afterwards, the President of the Board of Trade, rising in "another place," expressed almost a censure upon his Chief, for what he had said on the subject in this House. The right hon. Gentleman might have some reason to complain of the manner in which his propositions were received in that House; but the hon. Gentleman must admit that episodes of the class to which he had just referred might lead to differences of opinion, even among those who had the same object in view.

Lord F. CAVENDISH said, as he understood it, the sole object of the Motion at present before them was that there should be a Department for agriculture, just the same as there was for trades and manufactures. When Chambers of Commerce met they at once knew what Department of the Government to go to for information, or for what they desired; but persons who required information respecting agriculture had to wander from one Department to another, and thus, many important matters were entirely neglected.

Mr. BRIGHT: Sir, during the short discussion that has arisen there seem to have been two subjects before the House; one of which has led to a great deal of criticism, and the other of which appears to have been almost entirely forgotten. That which has been much criticized is the speech of the hon. Member for North Devon (Mr. Acland); but that which has been for the most part forgotten is the Motion of my hon. Friend, as it appears upon the Paper. Now, I propose to ask the attention of the House to the Motion on the Paper, which is for a

> "Select Committee to inquire into the action with reference to Agriculture of various Public Authorities, with a view to consider the expediency of recommending that some one Department be made responsible for dealing with administrative and legislative questions affecting Agriculture."

At first sight this looks not an unreasonable proposition; but if we look to the constitution of the different Departments of the Government, and what is the practice, and, perhaps, the inevitable practice, I think we will find that the Committee of Inquiry sought for will not in all probability attain the results expected from it. Agriculture, in this matter, is exactly in the same position at present as every other interest in the country.

I am not defending that position, but only explaining it. Take, for example, the interest with which I have been more intimately connected—the great cotton trade of Lancashire. The Factory Acts are under the Home Office. An Act was passed last year for collecting cotton statistics under the Board of Trade, and so you might go through almost all the interests of the country, and find that for some things you come to the Board of Trade for information; and for certain other things you come to the Home Office. I am not about to say that that is a good state of things; for in all probability some have an inconvenience, and some have a difficulty and a circumlocution with regard to these things that might possibly be avoided; but I doubt very much whether a Committee will be the best means of attaining what is desired, because I presume the Committee would take evidence from the heads of the different Departments —it may be conflicting evidence, and in the end the Committee may not be able to come to a conclusion so satisfactory to the House and the country as a conclusion arrived at by consultation and consideration by the heads of Departments themselves. I will not go over all the points of my hon. Friend's speech which has been criticized, it seems to me, I will not say with indifference, but certainly with no great desire to comprehend what he was driving at. It is quite obvious that my hon. Friend did not in the least intend that all those subjects which he mentioned should be referred to the Committee; but he thought that if there was one Department of Government to which persons connected with land and agriculture might apply, there were occasions with regard to nearly all those questions on which application might be made to that Department, and that advice and assistance some way or other should be rendered. That is a very fair proposition. I thought he included questions in his speech, respecting which, if I was at the head of such a Department, I should not like to come before me. I listened to the string of subjects which he referred to, and after dealing at length with the question of the transfer, and exchange, and improvement of land and cottages; with the question of internal communication; with the question of the cattle traffic, and the cause of humanity as connected with that traffic; with the questions of sheds, drainage, and irrigation; and, after speaking at some length on what, in the presence of hon. Gentlemen opposite, he evidently felt to be very delicate ground —tenant-right and confidence of tenants in their landlords—I listened for a moment and expected him to turn to the Board of Trade and ask them to propose some regulation on the subject of game, and it is not unreasonable that he should have sent any one to that Department. Now, I have here a card which I found in the office. It relates to six important Departments, and the various heads of those Departments number no fewer than fifty-seven. The Commercial Department is under eleven, the Railway Department under seven, the Harbour Department under seven, the Marine Department under twenty-one, the Financial Department under ten, and the Statistical Department under only one, which is not subdivided. With regard to the latter, I am sorry to say, it is not so satisfactorily managed as it might be, and it is intended to put it into such a condition as I think will enable it to furnish more correct and speedy statistics to the country. My right hon. Friend the Secretary of State for the Home Department is of opinion, and I suspect that the heads of all the other Departments who have had to do with home affairs are of opinion, that there might be some improvement —that some things might be taken from the Board of Trade to the Home Office, and some from the Home Office to the Board of Trade. It would, no doubt, be of advantage to have some plan by which any one coming from the country would have to ask for only one office instead of running the risk of losing his way as he passed down Whitehall. But trade and agriculture are in this matter precisely on the same footing. It is not, therefore, a question for the farmers to take an especial interest in. My own advice to them would be to come as little as possible to any Government office. My hon. Friend said in his speech what was very gratifying for me to hear, that the gentlemen with whom he has been holding a small parliament this morning—indeed, I would venture to call it a matter of great importance—had great confidence in me, and hinted that they regarded my present position as a very satisfactory one. I take hon. Gentlemen opposite to witness whether, looking to the past, I did not do to the best of my ability that which was highly advantageous to agriculture. I recollect a county Member who has retired from this House telling me more than once that he thought I had been the best friend of agriculture he knew of, although during the whole of that time I was engaged in those labours he was one of my staunchest opponents. I think agriculture had never less cause to complain than at present. The landlords never had better rents nor the rents more punctually paid than at the present time; and I think that the prospects of agriculture as regards the farmers are very satisfactory. When I found my hon. Friend had put this Motion on the Paper and also that one had been given notice of by another hon. Member on the subject of local taxation, I could not help remembering a story an eminent physician once told me. He said he was sent for very hastily one morning to attend a lady of rank, who wished instantly to consult him. When he called on her she said she felt very well—that she never had been that she knew of better in her life — certainly she had not been so well for many years—but she told him she had sent for him because she felt satisfied something was going to happen to her. Now, that is just about the condition of agriculture. She never was so well in all her life, yet she is about to call in the House of Commons, the Board of Trade, and I know not what, to help her under an apprehension that something is about to happen. I, however, advise hon. Gentlemen, the friends of the farmers, and the farmers themselves, to look to agriculture, and to consider that the sun and showers and industry are better for them than anything the House of Commons or Government Departments can do for it. With regard to the particular Motion before the House, I think, when I tell my hon. Friend that at this moment my right hon. Friend the Secretary of State for the Home Department is considering whether it is not possible to make some—I will not say any considerable—but certainly some not unimportant changes in the direction to which his Motion refers—that it will be attempted to bring things that are in some degree alike and connected into one office in order that there may not be that running about to two or three offices that the hon. Gentleman opposite spoke of—I think he will consider that it is not necessary to press this Motion for the appointment of a Committee. There is no disposition on my part, and there is none on the part of the Government, to resist an inquiry which would be probably attended with useful results, and least of all is there any disposition to resist such an inquiry in the case of an interest which is so powerfully represented on both sides of this House. For myself and for my right hon. Friend the Secretary for the Home Department, I can say that the question, so far as I have indicated, shall be considered, and if it appears that we can discover anything that bids fair to secure this result—and I think there are things that may be discovered in the direction of the Motion of my hon. Friend — it shall as far as possible be carried out, and probably the objects of his Notice and of his speech may be accomplished without the appointment of the Committee for which he has asked.

MR. ACLAND said, he felt much obliged to the right hon. Gentleman for the clear view in which he had presented the subject. His only objects were to obtain an inquiry in the most effectual manner, and, after the promise made on behalf of the Government, he thought it unnecessary to press his Motion.

Motion, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE ACT (1867) AMENDMENT BILL.

LEAVE.

MR. H. B. SHERIDAN, in moving for leave to introduce a Bill to amend "The Representation of the People Act, 1867," said, he proposed to defer the discussion of its details until the second reading, when it would be for the House to accept or reject the measure. The first part of the Bill proposed to repeal the 7th section of "The Representation of the People Act (1867)," which abolished the system of compounding; and the second part proposed to repeal the fourth paragraph of the 3rd section, and the fourth paragraph of the 6th section of the same Act, which rendered compulsory the personal payment of rates, and decided what should be the rating qualification of a voter. The Bill provided that a person should retain his right to vote whether his rates had been paid or not, leaving the rates to be recovered in the ordinary manner. It might be said that a private Member of the House had hardly a right to submit to it a question of such great importance; but he felt that, if no other Member took it up, this was a duty from which he could not shrink. So much oppression and injustice had rarely been produced by any one measure as were traceable to the working of the new law of rating, and many Members of that House were well aware of the deep feeling of irritation and discontent which it had created, and were pledged to assist in the removal of the grievance. The public voice had long been loud and universal in condemning the obnoxious ratepaying clauses of the original Reform Act, but the vexation and suffering created were now increased ten-fold. The Bill introduced by the right hon. Gentleman (Mr. Goschen) would not settle this question. That was entirely a theoretical measure, which it was hoped would prove useful, but his Bill was eminently practical, and he hoped the House would not hesitate to allow of its introduction. The hon. Member concluded by moving for Leave to introduce a Bill to amend "The Representation of the People Act, 1867."

Mr. LOCKE KING said, that with the title which the hon. Member's Bill bore he might bring almost every fish into his net—extend the franchise, alter the re-distribution of seats, and do other things by which the House might be taken by surprise. This was a dangerous precedent, and it would be better to confine the Bill to the repeal of certain specified Acts.

Mr. GLADSTONE: The question before us is a very simple one, and I shall only have occasion to trouble the House with three or four sentences. I must, in the first place, demur to the statement of the hon. Gentleman with regard to the practice of the House. He appears to think that the House is almost bound to permit the introduction of a Bill and its first reading. I do not accept that view of our practice. At the same time the hon. Gentleman may fairly ask us to accede to the Motion he has just made, and there is no occasion for the apology he made, with great modesty, for undertaking to legislate upon this question. It so happens that the enactment of these clauses was the work of an independent Member (Mr. Hodgkinson), and every Member of this House, especially one representing a large constituency, is perfectly justified, apart from criticism upon the mere terms of his Motion, in asking the House to assent to what he thinks the best mode of remedying the existing evil. The state of the case between the hon. Member and the Government is this—We are agreed that considerable inconvenience and hardship are caused by the undesigned operation of certain clauses in the Reform Act. We are also agreed that a remedy must be applied. The Government have considered what description of remedy, all circumstances taken together, was likely to be the most easy in its application, and the most convenient and satisfactory to the House at large. For that purpose my right hon. Friend (Mr. Goschen) has laid a Bill upon the table which has been circulated among Members to-day. The hon. Member proposes to adopt another method, which is certainly more direct, though whether it is equally satisfactory in regard to economic consequences and practical enfranchisement will be a question for consideration hereafter. He proposes, however, another remedy for the same grievance. Now, it would ill become us, who have obtained leave to submit our plan to the House, to grudge to any other Member the opportunity of submitting his plan as well. It will, on the contrary, be of advantage that the Bill of the hon. Member should be printed and circulated, because, ample time being allowed for the consideration of these two methods of dealing with the subject, it would be well to know the impression which they make in the country. All I desire is that nothing should be said or done unnecessarily to revive the warm feelings which arose upon the original discussion of this subject, and with this remark I gladly accede to the Motion for leave to introduce the Bill.

Mr. HIBBERT, having taken considerable interest in the compounder, hoped that that being had been quietly laid at rest. He regretted the prospect of revived feelings which had been raised by the discussion of 1867, and thought the plan of the hon. Member was much more objectionable than that of the Government. The measure introduced by the right hon. Gentleman (Mr. Goschen) did him great credit. No doubt, if great hardships were inflicted in the collection of the rates from the occupiers of small houses, some remedy ought to be applied, but it ought to be applied so as not entirely to undo the legislation of 1867. Entertaining this view, he should feel bound at some future stage to oppose the Bill of the hon. Member.

Motion *agreed to*.

Bill to amend "The Representation of the People Act, 1867," *ordered* to be brought in by Mr. HENRY B. SHERIDAN and Mr. GOURLEY.

POOR LAW (SCOTLAND).

MOTION FOR A SELECT COMMITTEE.

MR. CRAUFURD, in rising to move that a Select Committee be appointed to inquire into the operation of the Poor Law in Scotland; and whether and what amemdments should be made therein, said, so far as regarded England, the question of the Poor Law was one of very ancient date; but so far as Scotland was concerned the question was one of exceedingly modern and recent times. They had, no doubt, a law in Scotland passed in the latter part of the 16th century, and regulated by ordinances of the Privy Council, which dealt with the question of the maintenance of the poor; and he would say that in his opinion—and he hoped he might not be supposed to boast too much of the advantages of the laws of the country from which he came—the principles upon which that ancient Poor Law was founded were principles which he thought were eminently calculated to meet the question of the maintenance of the poor, and were principles which were rational and beneficial, socially and generally, to the country. The principle upon which the Poor Law in Scotland was regulated was this, that it was the duty of every man according to his means to provide for the permanently disabled poor, who from infirmity were unable to work for themselves, who had no means of subsistence, and who had no relations whom the law held bound to provide for them. It was, in fact, a rate in aid of poverty, and not a Poor Law rate. Down to the year 1843 that was the general principle upon which the poor of Scotland were maintained; and he asserted now, without fear of contradiction, that the principle upon which that law was based and administered was one well adapted to provide for the maintenance of the indigent and the incapable, and was also one eminently calculated to preserve and foster those relations of charity and affection without which the social fabric cannot properly be maintained. It was held to be the duty of the relatives of a poor person to maintain him, and it was only where the means of those relatives were insufficient to enable them to fulfil the duty imposed upon them by law, that the law stepped in and called upon those who were wealthy, and consequently able, to supplement the disabilities under which the relations found themselves. Hence came the basis of their rating—a rating upon the means and substance of a person, and not a rating upon the income; for he was called upon to contribute, not necessarily in exact proportion to his income, but according to his position, and to the wealth he held in the country. Unfortunately, as population and trade increased, pauperism increased also, and the means were not managed in a manner adequate to supply the necessities of the poor. There came a time of great distress, when a question with regard to the support of the able-bodied poor appeared to be looming before the public. There were also the large evictions in Sutherlandshire, driving numbers of people from their accustomed means of occupation. A Royal Commission was appointed to take evidence as to the state of the poor, and as to the means best adapted to remedy the great distress then existing. The Commission reported in 1844, and in 1845 a Bill was brought in under the Government of Sir Robert Peel, which was based on the recommendations of the Royal Commissioners. That body, however, were not quite unanimous—one of the Commissioners having sent in his reasons for dissenting from the Report of his brother Commissioners, and if he recollected rightly, the Gentleman who thus dissented was the only English Member of the Commission. When the second reading of the Bill came to be taken, a strong resistance and opposition to it was made by the Scotch Members. They objected to the principle upon which it was based, but they principally objected to the proposed establishment of a Board of Supervision at Edinburgh. Mr. Rutherford, afterwards Lord Rutherford, also most strenuously opposed the proposal to appoint that Board. It was resisted on all sides, he believed almost unanimously, by the Scotch Members of the House. [SIR EDWARD COLEBROOKE: No!] His hon.

Friend the Member for North Lanarkshire appeared to dissent. He would find he (Mr. Craufurd) was right if he referred to the debates of that day in *Hansard*.

Sir EDWARD COLEBROOKE was understood to say that he himself supported the Bill.

Mr. CRAUFURD recollected his hon. Friend did support it, but actually the main body of the Scotch Members objected to the Bill. But, as often happened, when a Government had at its back an arrogant majority, they protested and protested in vain. They foretold all the evils that would arise from that legislation, and he believed that every one of the evils had come to pass. First of all, he would take the expenditure at the time when the Bill was passed, or shortly afterwards. He would take the first reliable Return. In the year 1845 the total expenditure for the poor in Scotland amounted to £295,000. It might be said that at that time the poor in Scotland were very badly treated; but the expenditure had gone on increasing in a rapidly extending ratio. Within a very few years it reached nearly double the amount he had named, and according to the last Report of the Board of Supervision the expenditure of the Poor Law in the year ending 14th May, 1868, was no less than £863,000. He would not grudge that money if he thought that the poor in 1868 were proportionately better off in a ratio corresponding to the immense increase that had taken place in the expenditure; but he asserted, and he fully believed that he should be able to prove it if he obtained the Committee, that while the expenditure had been increasing in that enormous ratio, the poor were no better off practically than they were in 1845. He would take, as an instance, the case of his own small country parish. At the time of the passing of the Act the population was 2,000. It was now something like 200 short of that. In 1845, the registered poor upon the roll numbered forty; their maintenance, the voluntary care of the proprietors of the parish, cost between £200 and £300 per annum; and the poor in those days were exceedingly well off. They often had allowances amounting to 3*s*. or 4*s*. per week. The cost of the poor in that parish was now altogether nearly £700 a year. The number of them was doubled, if not more, and they only received wretched doles of 1*s*. or 1*s*. 6*d*. per week, or 2*s*. 6*d*. to 3*s*. 6*d*. in cases where there were three or four dependent on them. Nor did that mark the whole difference as compared with 1845. Before the passing of the Act, it was well known that the poor received numerous assistances from the hand of charity, aided by the contributions of meal from farmers in the district; and it was also notorious that at that time in Scotland the relations maintained their own poor, and made it a matter of pride to do so, so that they would almost starve themselves rather than allow their relations to come upon the Poor Roll. All that was now changed. The legal rate, which the poor considered they had the right to come upon, had buttoned up the pocket of charity, and had destroyed the feelings of affection and of mutual relationship, and had dried up all those feelings and habits which knit together in kindly union the different members of a community. The poor were now left to fight their way as they best could, instead of being able to rely upon mutual friendship and on assistance from those above them. This had given rise to relations of determined warfare between rich and poor —the poor claiming as a right, relief, no matter how improvident they might have been, how drunken, how dissipated. No matter how entirely their distress might be owing to their own wilful folly and idleness, they claimed, in spite of that, the right to assistance; while the rich, on the other hand, resisted claims founded upon no proper moral consideration whatever. The law had been in operation for upwards of a quarter of a century; and he thought that it was enough for him to state these broad facts to justify him in asking the Government to grant the Committee of Inquiry into the whole system of the Poor Law of Scotland. Only eight years after the Act was passed, Sir John M'Neill went to Caithness and examined the state of things there, and if any Member would turn to the Report of the Board of Supervision in 1853, he would find an interesting account of the result of that investigation. Sir John stated distinctly that the consequence of that law had been to destroy all principle of independence, and to pauperize the country, and to create all those evils which it ought to have avoided. A recent Report had also been issued by a very intelligent

Committee of Investigation of the Wick Board, and he understood that Report had been generally endorsed by the counties and parishes in Scotland as to the points in which remedy was sought. Now there were three questions which appeared to him must be carefully investigated. One was the principle of extending the area of chargeability; and he hoped that, having felt the advantage of adopting such a system in England, they should not be refused it in Scotland. Another was to abolish, or to largely modify the law of settlement—a result which would follow the enlargement of the area of assessment. Whether the area of chargeability should be extended to the union or to the county was a matter upon which he would not pass an opinion until he heard the evidence which might be adduced before the Committee. There might be difficulties in extending the area to the counties, because some of them were divided into districts. For instance, his own county of Ayr was divided into three districts. However that was a matter of detail; and what he wanted to arrive at was an enlarged area of chargeability. Yesterday, he received a paper containing information respecting several parishes in one county, and the writer enumerated nineteen parishes, the percentage of taxation upon which varied no less than from £1 6*s.* to £8. And that was all in one county. Such a state of things was highly to be deprecated, and it called loudly for relief. There was a Return lying upon the table of the House, moved for by himself a year or two ago, showing distinctly the rates which were levied in the various parishes throughout Scotland, and although those rates varied as much as from 5*d.* or 6*d.* in the pound to 2*s.* 6*d.* and 3*s.*, it would be seen that the whole average of the country amounted to something like 1*s.* 2*d.* in the pound. There was also another point which he desired the Committee to direct their attention to, and that was the restoration to Scotland of its old and recognized principle that every man should contribute to the sustenance of the poor according to his means. Why was the landed proprietor, or, more than that, the poor householder in the towns and country villages, to be taxed until he himself was brought into pauperism, while the rich money-lender who had the mortgages upon that land was to escape scot-free. He might be told there were difficulties in the matter, and that they must go to a national rate. Well, if they were to go to a national rate, he saw no difficulties in the matter. He thought the support of the poor was a national, and not a local matter. It was by making it local that they had created all those inequalities and questions with regard to the law of settlement. It was all very well so long as the great staple of income was the land, and the land was the only thing which could bear the support of the poor; but since those days they had the large manufacturing interests, who, instead of gathering together their twenty or thirty labourers, bring together thousands of men who, when a mishap occurred in trade, might be turned upon the streets, not upon the men who brought them together, but upon the land. No one felt more strongly upon the subject than his own constituents, and he trusted that the Lord Advocate, who he understood was to grant the Committee, would not limit the scope of their inquiry. He wanted a thorough, entire, and radical inquiry into the whole working of the system. Do not let the right hon. and learned Gentleman tell him that he would give him a partial inquiry into some of the points, and refuse inquiry as regarded the others. He would rather not have an inquiry at all if it was to be but a partial one. He wanted such an inquiry into the causes of pauperism and the principles of the Poor Law as would settle whether they could not have something like the old law of Scotland, which would restore to them that independence of character which was once their pride and glory in that matter. He was told, but he hoped that it was not true, that he was to be denied inquiry into the Board of Supervision. Now let him ask—Of what does that Board consist? There was upon it the Lord Provost of Edinburgh, the Lord Provost of Glasgow, three Sheriffs depute or county Judges, the Solicitor General for Scotland, and three members appointed by the Crown—one of whom was a paid Chairman. They had Reports annually from that Board, but what were they? They gave them statistical Returns of the number of poor, of the expenditure upon them, and other details of that kind, and, to a certain extent, the operation of the Act; but they had no minutes of their meetings, and knew nothing of what they did or how they did it, and they believed, as always was the case where there was only one paid member of a committee, that that paid member was the supreme ruler of the entire Board. Now amongst other things which he ought to mention was the enormous increase which had taken place in the amount necessary for the maintenance of the poor in Scotland, and one of those items was the item of management. That had risen in the last Report to no less than £94,000 per year. It had, in fact, crept up regularly year by year from £17,000, which was the sum at which it stood in 1845. He knew not whether that sum included the Board of Supervision, but he did think that it ought to be reduced, because at that rate it would soon reach no less than £200,000 a year. Therefore he said they ought to have a change in the constitution of that Board, unless it could come before the Committee and prove that what it did was more for good than evil. He entertained what was a very strong feeling throughout Scotland in respect to what were called Edinburgh Boards. There was no representation upon that Board. The Lord Advocate was not a member of it, although it did happen that the Solicitor General, who was a member of it, was also a Member of that House; but there was no fixed representation upon it, and no certainty of representation. The whole principle of it was that of a central irresponsible body, whose decisions after they were given, he believed, often produced dissatisfaction throughout Scotland. It might be, when they came before the Committee, they might satisfy them that, although in certain cases they might create hardships, yet upon the whole their action had been just or justifiable; but if they refused to come before the Committee, upon them would be the accusation that they dared not come to explain their conduct. The hon. Member concluded by moving—

> "That a Select Committee be appointed to inquire into the operation of the Poor Law in Scotland; and whether any and what amendments should be made therein."—(*Mr. Craufurd.*)

SIR ROBERT ANSTRUTHER said, he must congratulate his hon. Friend the Member for Ayr (Mr. Craufurd) on the able manner in which he had brought the subject under the notice of the House. He most cordially endorsed all that he had said as to the necessity of some action being taken in the matter. The question was one that had taken a great hold on the mind of the people of Scotland, and he could fully bear out his hon. Friend in his statement that the people of that country would not be satisfied with any partial or incomplete inquiry. He himself was distinctly of opinion that they ought not to be satisfied with anything else than the fullest and most searching inquiry. His hon Friend might possibly be labouring under a misconception when he said that he believed the learned Lord Advocate would limit the inquiry so far as details were concerned. Should the learned Lord Advocate do so, he (Sir Robert Anstruther) had no doubt it would be upon the ground that it would be tantamount to passing a Vote of Censure upon the Board of Supervision to compel them to appear before a Committee; but he, for his part, could not see the force of any objection to an open inquiry. If the Board of Supervision conducted its affairs satisfactorily—if the sum of money it expended upon the management of the poor was not extravagant—if there be nothing to hide from the Committee — why, then, he asked should there be any objection to appear before that Committee? Their refusal to appear would certainly look suspicious; and should the learned Lord Advocate refuse to command them to appear, it would look very like as if there was something to conceal. He made no charge against the Board of Supervision; he only stated a fact when he said that there was a strong feeling in Scotland that the affairs of the poor were not satisfactorily managed by that Board. The increase in the expense of management during the last twenty-five years was something enormous. In the year 1853 it was only £67,000; but in 1868 it had risen to between £94,000 and £95,000. That such was the case, was, he thought, quite sufficient ground for demanding that the inquiry should be full and radical. The various points raised by the hon. Member for Ayr were most interesting, and he thought the thanks not only of the Scotch Members but of the House were due to him for the manner in which he had brought the subject before them. He earnestly hoped that the Government would not only grant inquiry, but would allow that inquiry to be as full and complete as possible.

SIR EDWARD COLEBROOKE said, he could not allow the remarks of his hon. Friend (Mr. Craufurd) to pass without notice. He was sure that if the House did agree to the large and expensive inquiry the hon. Gentleman had proposed it would do so in a very different spirit to that which he had displayed in his speech. He desired to bear his tribute to the immense benefit which the present law had conferred both upon the poor and upon the property of Scotland. He had not taken the trouble to refer to the proceedings of Parliament when it passed that measure, but he could at least bear testimony to the fact that it had not been passed with undue haste. Looking at the history of the measure, he thought it had been one of a most beneficial kind, whilst much of the distrust with which it was received had been dispelled by the moderation with which the law had been carried out, and the sound working of the administration in large parts of the country. He could not help feeling surprise that after the disclosures in the Report upon which that Act was founded — disclosures of the starvation of the peasantry of the country in many cases, and of their entire dependence upon the most precarious sources of relief—his hon. Friend should still speak boldly of his wish to recall the system under which those things had taken place. He must surely have forgotten, to give one instance only out of many—the very different footing upon which the lunatics of Scotland were now placed to that which they occupied before the passing of the present Act. He should, above all things, deprecate the institution of an inquiry by that House, under the apprehension, conveyed by any Member of it, that there was any disposition on the part of the Legislature to undo the work which was then accomplished. He would not attempt to deny that evils existed, but they were not so great as were attempted to be made out. He, for his part, did not deprecate inquiry into that subject; but he thought the subjects of inquiry should, first of all, be distinctly named and understood. He had no desire to exclude the Board of Supervision from that inquiry. He thought, moreover, that some of the things mentioned by the hon. Member for Ayr were well worthy of consideration. It was a difficult subject, however, to decide whether rating should be confined to house property or to land, but that was also a proper question for inquiry. He thought, however, that the House should not enter upon an inquiry without having clear and practical views as to what it wished to accomplish. Should the Motion be agreed to, however, he hoped the hon. Member would re-model the constitution of the Committee. He observed that the hon. Member proposed that that Committee should be largely composed of the junior Members of Scotland, many of whom were quite new to that House. That, he thought, was a mistake, and he hoped some of the senior Members, such as the representatives of Kilmarnock and Haddingtonshire (Lord Elcho and Mr. Bouverie) would be added to the Committee.

MR. POLLARD-URQUHART, having been Chairman of the Poor Law Board of Scotland before he entered that House, hoped he might be permitted to say that for some time he had seen with pain and regret the abuses that were daily growing up under the administration of the Poor Law, and which required the serious investigation of the House; and he thought that the operations of the Board of Supervision ought to be inquired into.

MR. KINNAIRD said, he quite agreed with what had fallen from several hon. Members who had just spoken, that the very greatest possible interest was felt in Scotland on that question. No topic seemed to have taken firmer hold of the public mind in that country than that had. At the same time, he was bound to say that, so far as his experience had gone, it was rather in regard to the area of chargeability than to any other point that inquiry was needful. The present system threw a great burden upon the city which he represented, being the centre of a great agricultural county, which needed at times all the surplus labour the town could afford; but when out of work the chargeability of the labourers had to be borne, not by the rates of the place in which they had earned their living, but they were brought into the town, and thus became chargeable on the town rates, which was felt to be an intolerable grievance. He could only say that, although his experience had not been as great in the matter as that of his hon. Friend, he considered him quite justified in asking the learned Lord to grant a Committee. At the same time he must add, that, in his opinion, there would be plenty of time and opportunity afforded after the Committee was appointed to extend the subjects of inquiry. It would therefore, he thought, be wise on the part of his hon. Friend not to lose the opportunity of obtaining a Committee on the subject that Session, even although the Lord Advocate might be of opinion that it ought to be more limited in its scope than his hon. Friend had wished. And he would also remind his hon. Friend that there would not be too much time that Session to expend on such an inquiry, and therefore that it would be very unwise to object to it, unless it was to go to the fullest extent which he desired.

Lord ELCHO said, he could not but express an earnest hope that the learned Lord Advocate would grant that Committee. His hon. Friend the Member for Ayr (Mr. Craufurd) expressed himself in the strongest and most forcible manner with respect to the evils attending the present system. For his own part he could not speak except with respect to the feeling in his own county, and there had been undoubtedly an unmistakable feeling expressed with regard to the existing evils under the present Poor Law system in Scotland. His hon. Friend had pointed out very clearly that it was not so much a question affecting the bulk of the population as that very large number of persons who were only just able to keep their heads above water, and who were in imminent danger of being submerged in consequence of the burden of the rates. His hon. Friend had stated to the House that the expenses of management had reached the large sum of £94,000. Surely that was one good ground why there should be a searching inquiry. Another good ground was that the present system operated very injuriously to the poor themselves. That fact had been very forcibly put before him by a gentleman of Edinburgh, Mr. Currer, and he fully confirmed what had so well been put forward by the hon. Gentleman opposite (Mr. Craufurd), that the existing system had a most demoralizing effect upon the recipients of the rates. He (Lord Elcho) quite admitted that some legal provision for the relief of the poor in Scotland as well as in other parts of the kingdom was necessary, but, at the same time, it ought to be administered in such a manner as to maintain, as far as possible, that spirit of independence which formerly existed in that country, but which, he grieved to say, had been, to say the least, compromised by the existing system. Formerly, the poor of that country spared no pains or labour to support their poor relations; but now he was told by those who were conversant with the subject that that spirit was in a great measure dead. There was, indeed, he was informed, a complete change in that respect, and that now, instead of making efforts to support their poor relations, their sole object was to get them off their hands and on to the rates. At the same time, he did not attribute all those evils to the administration of the Board of Supervision. He had the pleasure of being well acquainted with Sir John M'Neill, the President of the Board, who had always shown himself a most able administrator, and a first-rate man of business in every sense of the word. At the same time, he hoped that his right hon. and learned Friend the Lord Advocate would not limit the inquiry on the ground that there had been any exaggeration on the part of the hon. Member for Ayr; because if his hon. Friend had exaggerated any part of his statement, which he (Lord Elcho) did not say, the inquiry would prove that he was wrong; whereas, on the other hand, if it was limited, people would be sure to say that there must have been something which the Board of Supervision were afraid to have inquired into, and the statements were founded on correct information.

Mr. M'LAREN said, he most cordially approved of the Motion which had been made for the fullest possible inquiry into that subject. So far as he knew, his hon. Friend had made no exaggerated statement whatever. On the contrary, he (Mr. M'Laren) believed that he had understated the facts and the evils which had arisen under the operation of the Act of 1847. If he went back for ten years previously to that date, he could tell them a most remarkable fact. In 1837, the whole amount which was expended in Scotland on poor rates was £180,000 odd. He forgot the exact figures. He did not know that the Motion was likely to be opposed, and he had not intended to speak on the subject. It was now nearly £900,000. In point of fact within that short period of thirty-one years it had increased about 500 per cent. If that was not a startling thing he did not know what was. From the Report of the Poor Law Board, issued three weeks ago, he saw that there were about 350,000 people in Scotland last year receiving parochial assistance—that was to say, either as actual regular recipients of poor relief, as casual paupers, or as the children of those classes, out of a population of 3,100,000, so that, in that year, every ninth person in Scotland received assistance out of the poor rates. If that was not a startling fact, and one which deserved the most serious consideration of that House, he did not know what was. He would not put it merely as a question of money—he would put it on far higher; he would put it on moral grounds. The present system was destroying the independence and the spirit of the Scotch people. The national character was being deteriorated by the present system of Poor Law relief. He held, and many people who had seen it and who were far better acquainted with its effects than he was held, that the present system of administration of the Poor Law was one great means of that deterioration. It was, therefore, the duty of that House to inquire into the facts of the case. A remark was made in order to disparage the effect of the statements which had been made by his hon. Friend the Member for Ayr (Mr. Craufurd) to the effect that he had selected the junior Scotch Members instead of the senior to be Members of that Committee. It was almost too trifling a matter to notice, but he (Mr. M'Laren) might say that his hon. Friend did him the honour to ask him to be a Member of the Committee, but having been pretty hard worked for the last three years, he suggested whether it would not be right that his junior Colleague should work for the next year. His hon. Friend assented, and accordingly he asked his Colleague, who had far more experience in that particular branch of social economy than he (Mr. M'Laren) had, having been the Chairman of a Poor Law Board, and his Colleague had kindly assented. He thought that that statement was quite sufficient to remove any impression which had been created by the remark, that by selecting only the junior Members his hon. Friend had the intention of making what was generally termed a "packed Committee," in order to arrive at any special results which he might desire. If his hon. Friend had any intention of reverting to the old method of means and substance assessment, he was dead against him as to that question; but he had not stated in his resolution that such was his intention; and certainly they were entitled to inquire—having the administration of the Poor Law on the system that now existed—whether that system was not capable of being improved. If it was, no doubt the Committee would find out what was the best remedy under all the circumstances of the case. But, at all events, he believed it would be found quite impossible to go on without extending the area of rating. A system had come into operation in Scotland, partly from the state of the Poor Laws, and partly from the Game Laws, that wherever a cottage in the country districts could be knocked down it was done; and go where they would, the inhabitants could find no other house open to them in the district. The effect of that was no doubt to clear the country, and in almost every district in Scotland the labourers thus removed were forced into towns. The result was that, in thousands of cases, the labouring men in Scotland were obliged to go from the towns into the country districts to work in the morning, walking four or five miles, and returning a similar distance in the evening. And, moreover, when they did return, they were, in many cases, obliged to live in tenements which were hardly fit for pigs to live in. And all this arose from the fear that, if cottages were erected in the agricultural districts, the sons and the husbands would shoot game, or kill the fish, and partly from the fear of their becoming chargeable upon the poor rates of the parish; so that it was thought far better to get rid of them at once, and to drive them to the towns, where they were placed upon the towns' poor rate. He (Mr. M'Laren) thought that that was one strong ground for inquiring into the present state of things. His hon. Friend the Member for Ayr made some reference to the Board of Supervision, and also to the discussion which took place in Scotland when the Act authorizing the establishment of that Board was passed. He would not go into that question at the present moment; but he did happen to know something of the Board of Supervision. His hon. Friend had named the members of that Board, and among them he mentioned the Lord Provost of Edinburgh, the

Lord Provost of Glasgow, and three Sheriffs depute. Now, he (Mr. M'Laren) held the first-mentioned office for three years, and had an opportunity of attending the Board of Supervision, and therefore he thought he might say that he knew just as much as it was needful to know of it; and he could state that the whole business of that Board was practically done by the Chairman and the Secretary, and that it could be done just as well if no other members of the Board were present. In the Act which had been alluded to there was a clause which enabled the Government to pay £100 a year to each of three legal gentlemen in Edinburgh, and the three Sheriffs are named in the Act—the Sheriff of Perth, the Sheriff of Renfrew, and the Sheriff of Ross. It was expected that they would attend for £100 a year. In the last year that allowance was increased to £150 a year. If those gentlemen were to attend fifteen meetings a year, they would thus receive at the rate of ten pounds for each meeting, and he really doubted whether their attendance was worth ten pence, for the business was practically arranged and settled before the meeting of the Board was held, and there was really nothing to do but to adopt the suggestions of the Secretary and Chairman of the Board. Then there was a swarm of clerks, inspectors, and people connected with the Board, whom the Government paid, and it also gave £10,000 a year for medical aid, which did not appear in those local accounts. They had thus the whole of the expenses of the Central Board paid by the Government, and over and above all those circumstances it seemed to him that if an inquiry was to take place at all the inquiry must embrace the Board of Supervision, and in his opinion that was one of the most important points upon which an inquiry was necessary. He could dwell upon that subject for a considerable length of time; but he would not further occupy the time of the House, because he took it for granted that Her Majesty's Government would not seek to limit that inquiry, being convinced that nothing but a full inquiry would give satisfaction to the people of Scotland.

Mr. DYCE NICOL said, that having just heard the experience of the Member for Edinburgh, as Chairman of a parochial Board in that town, he ventured to state his opinion, as serving in a similar capacity in a rural district, which was entirely confirmatory of that expressed by the hon. Member for North Lanarkshire: he considered that, on the whole, the operation of the Poor Law in Scotland was satisfactory; at the same time there was no subject more deserving of a full and searching inquiry. The principal grievance now felt arose from the enormous expense of litigation as to settlement; the consideration of which had been urged on the authorities for several years, but they had been unable to propose any measure likely to prove an effectual remedy. The unequal pressure of the rates is now prominently brought forward, and with reference to that alluded to by the hon. Member for the Ayr Burghs, as existing in the county he had the honour to represent, and to the letter which he had received on the subject from Mr. Scott, of Brotherton, he had to explain that that gentleman's residence had on each side of it a fishing village, and from such a population the claims for relief were likely to be large. On his own property, in the northern portion of the county, he had also two fishing villages, which of course increased the poor's rate; but much depended on the prudent and watchful management of the Board and Inspector, and in that respect there was a wide difference in many parishes. The subject of the increase of the area of chargeability should be approached with caution, for although several of the most experienced heads of the English Poor Law Board had expressed strong opinions on it, they had only been able to carry, three years ago, after much opposition, the Union Chargeability Bill. The selection of members for the proposed Committee composed of Gentlemen of well-known ability for any inquiry of importance, he, however, feared would leave an impression on the public that there was too much of the town element in it—the county Members proposed, chiefly representing counties with large villages, and the great mineral districts of Scotland, where the rate was heavy, and it would no doubt be agreeable to their constituents to be relieved from a large proportion of such at the cost of the population of the rural districts.

Mr. MILLER said, that knowing as he did the feeling of Scotland on this subject, he was glad that his hon. Friend (Mr. Craufurd) had brought forward the Motion. He had had experience of the operation of the law, both in the mineral and in the manufacturing districts, and he knew a little of its operation in the county to which his hon. Friend, who had just sat down, had referred. He might say that he had found the greatest possible dissatisfaction, even among people of different habits, with regard to the operation of the law. In the county of Kincardine, he believed it had been the means of increasing the immorality of the county to an extent which he should not like to describe. There was no doubt that the law had broken down the independence of the poorer classes in Scotland; and he was not aware of any single good which had been done by it for the poor of that country, nor was he acquainted with any place which would bear out what had been stated by the hon. Member for Lanarkshire (Sir Edward Colebrooke). The law was giving the greatest possible dissatisfaction not only as to money, but in regard to the effect which it had upon the population. It had increased immorality to a great extent; it had increased drunkenness, and it was possible to trace paupers going from the room where they got their money straight to the gin-shop, where they spent it, without taking 6*d*. home, and the consequence was that their family had to depend upon the charity of their neighbours for subsistence. That charity had now, to a great extent, frozen up. People now did not take the same care of the poor as they used to do. Charity was also frozen up in another direction, and people did not take the same care of the poor members of their families that they did formerly. On the contrary, sons and daughters were not unfrequently found coming forward and stating that they had nothing to do with maintaining their parents; that that was a matter which belonged to the Board, and that they expected the Board to maintain them in time coming. The result was that disputes frequently arose, which went to the Courts of Law, and entailed serious expense in litigation. He sincerely hoped that that Committee would be granted, and that the inquiry would be as full as it could possibly be made, because he felt satisfied that a partial inquiry would not give satisfaction.

THE LORD ADVOCATE said, the speakers who had preceded him in that debate had not exaggerated the importance of the subject which his hon. Friend (Mr. Craufurd) had brought before the House. He felt it himself very strongly, and in a great many of the observations which the hon. Member and other hon. Members had made, he (the Lord Advocate) had a very considerable amount of concurrence. Unquestionably, he had not been, nor was he now, an admirer of the Act of 1845. He believed it was absolutely necessary to do something at that time to make a better provision for the support of the poor. He had the impression then — and that impression was not altogether removed from his mind — that the Act ought not probably to have been so sweeping and so stringent as it had absolutely turned out. Legal provision for the poor carried with it sometimes more and sometimes less of those consequences which have been described by hon. Members; and the moment, therefore, they had a legal provision for the poor, it went to a certain extent to dry up the sources of charity, and they did what was far worse — they struck a blow at the independence of the people, and the obligation which in Scotland in former days was supposed to be paramount, of providing for the poorer members of a family. But that had been done. They could not retrace their steps. It would be utterly vain to attempt to go back to the state of things which existed previous to 1845. There was no doubt that that year was a year of calamity. There was a state of things in Scotland that was disgraceful to civilization; and the people, especially in the northern parts of the country, were in a state not of comparative, but of actual starvation. Therefore, while he had that impression he could not put his opinion against that of other hon. Members. The Act had been passed, they had a Poor Law for Scotland — he was thankful to say it was not an able-bodied Poor Law, and he trusted it never would be. The question now was, whether there were any means of improving the system that was then introduced. They could not restore the state of matters that existed before the passing of the Act. He was anxious, he admitted, to limit the inquiry which his hon. Friend had proposed, and he was so because he thought he saw some practical result would follow from the inquiry which the hon. Member wished them to embark in. He did feel, and he repeated, that if they were to embrace in a Committee of that House the whole question of the

Scotch Poor Law, though they might collect a valuable mass of information, it was not likely to come to any practical result. The whole of that matter was inquired into in 1844 and 1845. The Act of 1845 was the result, and if they went back and opened up that ground, he did not imagine that their labours would be likely to produce much advantage to the country. But he could see that there were some questions in which legislation was necessary. First of all, there was the question of the area of chargeability, which was a very important topic. It had been applied in England. He gave no opinion as to whether it could be applied in Scotland; but he did see that on the one hand very considerable advantages might accrue, and that on the other hand the difficulties in the way were not insuperable. Then there was the law of settlement. Certainly his professional experience had led him to this conclusion, that in the way in which the funds were administered by parochial Boards no money was more recklessly squandered than in trying legal questions in matters of settlement, resulting in no benefit of any kind, because the rule, established by the expenditure of hundreds of pounds in one case, not unfrequently turned against the parish in another. He had a strong idea that a great deal might be done in that matter. He did not think that the law of settlement was worth the money it had cost. He thought it might fairly be considered whether it might not be abolished altogether, or, at all events, greatly modified. But then his hon. Friend proposed to go back upon the question of means and substance. There was a great deal of equity in that law in its period; but there was also in it a great deal of difficulty and inconvenience, and he believed that the Scotch Members were all of one opinion on the matter. At all events it could not be raised unless the area of chargeability was so extended that the Poor Law was taken up on something like a national footing. The last matter was the Board of Supervision. The hon. Member for the county of Fife (Sir Robert Anstruther) seemed to say that if he (the Lord Advocate) did not assent to a Committee of Inquiry on that subject, either he or the Board must have something to conceal. Now, if he thought the Board had anything to conceal, he would say that an inquiry ought immediately to be granted. And, since the hon. Member had expressed a desire that that matter should be embraced in the inquiry of the Committee, there could not be the slightest reason why it should not be so. His objection was, that it looked as if there was some reason to impugn the conduct of the Board. It was clear, and he did not in the least disguise the fact, that the burden of the poor rate had become a very serious evil in Scotland, though his own belief was that, under the management of Sir John M'Neill and his successor, the Board of Supervision had executed its duty, which its name implied, of supervising the local boards of the country, with singular fidelity. He knew very well that any inquiry would only redound to their honour. He had sat on the Board himself, and he knew its working well. The hon. Member for Edinburgh (Mr. M'Laren) had contrived to bring in a charge against the Sheriffs who sat on that Board. He must confess, unless his informants were mistaken, that the state of matters was the reverse—at least, he had heard the Sheriffs strongly express themselves with regard to the amount of time and labour which they had been called upon to devote to the discharge of their duties. When he was at that Board he had known them give a very constant and unremitting attention to their duties, and there occasionally arose very large and difficult questions of law which it was their duty to decide. He had to remind the hon. Member for Edinburgh that when, two or three years since, a Bill was passed in relation to the sanitary arrangements of Scotland, the Board of Supervision was created in that Bill the tribunal to decide upon and to put in operation the sanitary provisions of the Act, thus throwing upon the Board a great deal more labour. And he did not recollect that upon that occasion, or in the course of the discussion upon the Bill, any objection was taken to the constitution of the Board. He had thought it right to say those few words in defence, or rather in vindication of and in justice to the Board, which, as had been observed, had no representative in Parliament. He had only in conclusion, to say, that if his hon. Friend thought fit to extend the inquiry to the Board of Supervision, he had no objection to that course being adopted. He would, however, suggest that the Committee should not be nominated to-night. It was not usual to place the names of hon. Members on the Paper before the appointing of a Committee was agreed to, and he should be obliged if the hon. Member allowed him an opportunity of consulting with him before the Committee was nominated.

MR. CRAUFURD said, that as the learned Lord (the Lord Advocate) had kindly consented to grant the Committee in the form in which he asked for it, it was unnecessary for him to detain the House with any reply. But he could assure the hon. Baronet (Sir Edward Colebrooke) that there were the names of no fewer than eight county Members on the list he had drawn up for the Committee, and that he had no intention to do anything disrespectful to the hon. Baronet, or any other desire than to form such a Committee as might be deemed competent to undertake that inquiry. His sole object in putting the names down on that day's Paper was to elicit the expression of opinion they had had that evening, and he would at once yield to the wish of the House on that matter. As to his having selected junior Members, the hon. Member for Edinburgh (Mr. M'Laren) had already explained what had happened in regard to himself, and as to the hon. Members for Glasgow, their case was much the same as his. With respect to the right hon. Member for Kilmarnock (Mr. Bouverie) he had taken the first opportunity he had of inviting that right hon. Gentleman's co-operation, and he expected an early answer from him on the subject. He would at present withdraw the names he had suggested for the Committee, his only desire being to constitute such a Committee as would give thorough confidence to the people of Scotland.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Poor Law in Scotland; and, whether any and what amendments should be made therein."—(*Mr. Craufurd.*)

And, on March 17, Committee *nominated* as follows:—Mr. CRAUFURD, the LORD ADVOCATE, Sir ROBERT ANSTRUTHER, Mr. ANDERSON, Mr. ARMITSTEAD, Mr. CAMERON, Sir EDWARD COLEBROOKE, Mr. ELLICE, Mr. CRUM-EWING, Mr. ORR-EWING, Mr. FORDYCE, Mr. HAMILTON, Mr. LOCH, Mr. MACKINTOSH, Mr. M'LAGAN, Mr. MILLER, Sir GRAHAM MONTGOMERY, Mr. PARKER, Sir DAVID WEDDERBURN, and Mr. ARTHUR PEEL:—Power to send for persons, papers, and records; Five to be the quorum.

LOCAL TAXATION.—OBSERVATIONS.

SIR GEORGE JENKINSON, who had given notice that he would call attention to this subject, said, he did not propose at that late hour to trouble the House then with further discussion on the question embraced in his Notice, it had already been so fully discussed on a former night and almost incidentally that evening by the debate on the Scotch Poor Law. He reserved to himself the right, however, of bringing forward the subject again, and he should do so, partly because the promise of the Prime Minister had not been sufficiently definite as to time, and partly because he thought that as the Government had acceded to the appointment of a Committee for Scotland they could hardly refuse a similar inquiry, or immediate legislation as regards England. He should bring the matter forward again shortly after Easter, and meanwhile he wished to impress upon the Government the fact that the feeling was as strong in this country as it was in Scotland, that some alteration in the present working of the Poor Law was urgently required.

GAME LAWS (SCOTLAND) BILL.

LEAVE. FIRST READING.

MR. M'LAGAN, in rising to move that leave be given to bring in a Bill to amend the Game Laws of Scotland said, the measure was almost identical with that which he brought forward in 1867. It would be recollected that it, along with a Bill introduced by the noble Lord the Member for Haddingtonshire (Lord Elcho) was referred last year to a Select Committee. And as the Amendments which were made in the Committee and embodied in the Bill, did not give much satisfaction in Scotland, as the question of the Game Laws had made considerable advance in Scotland since last Session, and as the game question was made one of the principal questions at the hustings in that country at the late election, he thought he was warranted in bringing it before the new Parliament. The main provisions of the measure, which he now asked leave to introduce were—first, that hares and rabbits should not be deemed game within the meaning of the ordinary Game Laws: secondly, that cumulative punishments or penalties for offences under the Game Laws should be abolished: thirdly, that prosecutions under the Game Laws should be transferred from the jurisdiction of the Justices of the Peace to that of Sheriffs of counties: and, fourthly, the Bill provided a speedy mode by which tenants might obtain compensation for damage done to crops by game. The principal alteration he had to propose as contained in the Bill was in the fourth clause—namely, that which provided a speedier mode by which tenants could obtain compensation for damage done by game. He might state that with regard to this matter he had availed himself largely of suggestions thrown out by the Lord Advocate in the Select Committee of 1867, and had embodied those suggestions in that clause of his Bill. He now asked leave of the House to introduce a Bill to Amend the Game Laws of Scotland.

Mr. FORDYCE said, he had much pleasure in seconding the Motion made by his hon. Friend, whose Bill he accepted as a compromise. He trusted that if the measure was to be opposed by Her Majesty's Government they would take the measure in their own hands, so that they might be able to legislate upon it during the present Session. It seemed to him that, considering the loyalty of the Scotch constituencies to the present occupants of the Treasury Bench, they had some right to make that demand at the hands of the Government.

Mr. KINNAIRD said, he thought the absence of the noble Lord, the Member for Haddingtonshire, (Lord Elcho) would tend to simplify matters, for they would now have only one Bill to consider instead of two. He was, therefore, very much indebted to him for having withdrawn his Bill and thus left the stage clear for the introduction of that of his hon. Friend, the Member for Linlithgowshire (Mr. M'Lagan). Like his hon. Friend (Mr. Fordyce) who had just sat down, he looked upon that Bill as a compromise, and he thought it might, perhaps, be a wise one. He trusted that his right hon. and learned Friend the Lord Advocate would endeavour, when the Bill was passing through Committee, to amend it by giving some additional power to the tenants of obtaining speedy compensation for the damage done by game. He could say, from his own experience at the last election, that there was no question which attracted more attention in Scotland than the question of the Game Laws, not merely among the proprietors of land and their tenants, but among the people themselves, who felt that there was a great destruction by game of food which would otherwise be available for the use of the people. Therefore, the question was removed from the position it used to occupy, as one chiefly interesting to the sportsman and the tenant. There was, doubtless, considerable injury inflicted by the unnecessary consumption of food which would otherwise be used as food by the people.

Mr. CRUM-EWING said, he could fully confirm the statements made by the hon. Members who had addressed the House upon that subject, that the question of the Game Laws was one that had attracted very considerable attention in Scotland, and he trusted that leave would be given to bring in the Bill.

The LORD ADVOCATE said, there was no objection to the hon. Member for Linlithgowshire bringing in his Bill. He should reserve any observations he might have to make upon it until it was brought up for a second reading.

Motion *agreed to.*

Bill to amend the Game Laws of Scotland, *ordered* to be brought in by Mr. M'Lagan, Mr. Fordyce, and Mr. Orr Ewing.

Bill *presented,* and read the first time. [Bill 32.]

SUPPLY.—REPORT.

Resolution [Feb. 26] *reported.*

Mr. Alderman LUSK rose to call the attention of the House to the Supplemental Vote passed last evening, and now being reported to the House. He alluded particularly to the large sum of £11,738 paid for public buildings, and to ask how it came to pass that so large a sum had to be paid for arbitration claims in connection with Westminster Bridge? He also commented on the increased charge of £17,200 for the constabulary force in Ireland, on the charge for new pensions and retiring allowances connected with Irish Law Courts, and on the addition of £18,000 to the outlay on printing and stationery, contending that some explanation of those items was required, and objecting generally to a Supplementary Estimate.

Lord ELCHO said, he should like to know whether the hon. Gentleman, in whose name Notice of a Question stood on the Paper that evening with regard to the supply of Australian preserved meat at 6*d.* per lb. to the Navy—the charge for English preserved meat being 11*d.* per lb.—was aware of his own experience that the Australian was better than the English meat.

MR. ALDERMAN LUSK: I shall answer the noble Lord's Question when we come to discuss Vote 2 of the Navy Estimates.

MR. DILLWYN remarked that the present discussion was irregular. He complained that Supply should have been taken on Friday evening, contrary to the spirit of the arrangement which he understood had been entered into some years ago, when Supply was fixed as the first Order, with a view to enable private Members to bring forward their Notices of Motion.

MR. AYRTON said, it was open to the Government, in accordance with the arrangement to which his hon. Friend (Mr. Dillwyn) referred, to take Supply on Fridays, unless they had given an intimation previously that they did not intend to do so; but that there might be no misunderstanding about the matter he had given Notice in the early part of Friday evening last that he intended to bring forward a Supplementary Estimate. In reply to his hon. Friend the Member for Finsbury (Mr. Alderman Lusk), he had to state that, although, as far as he was concerned, he had, since he entered upon his present Office, endeavoured to carry out the wholesome rule that there should be a distinct understanding with any person who entered into a contract with the Government as to the amount of remuneration which he should receive, there had been some mistake made by former Governments on the point with reference to Westminster Bridge. The claims made in consequence on the Treasury in connection with that work had to be referred to arbitration, and the amount of the award was that which was set down in the Supplementary Estimate, besides which the Government, he was sorry to say, would have to pay all the costs of the reference, which amount would be embodied in the general charge for the year. As to the charge for printing, he must admit that it was very heavy; but he must, at the same time, remind hon. Members that the expense under that head was one which they themselves in a great measure created, who were constantly asking for information which had to be printed and circulated. The only way to diminish the expenditure for printing was by a little forbearance on the part of Members themselves. There was always an indisposition on the part of the Government to refuse Returns, because it looked as if there existed a desire to conceal something. The mere preparation of the Returns cost a good deal, and when they were laid upon the table hon. Members might with advantage consider whether any urgent necessity existed for printing and distributing them. His own conviction was that a great many hon. Members did not pass their time in reading these Returns. That day, for instance, they had received nearly 500 clearly printed pages of evidence relating to two Election Petitions. He should be curious to know by this day week whether any hon. Members had read these through; if not, it was plain that a very large expenditure had been unnecessarily incurred. With regard to the Irish Constabulary, it was not surprising, in the state in which Ireland had been for some time past, that the force should have been brought up to its full complement, and, having to maintain this armed force, everybody, he thought, must agree that the best thing was to arm them in the best manner, so as to impress people with the conviction that they were efficient and capable of putting down disturbances. The last question put to him had reference to the re-organizing, under the Act 30 & 31 *Vict.* c. 129, of the Courts of Justice in Ireland. There was no process, he was sorry to say, in its immediate operation so expensive as that of reforming anything connected with the law. The legal profession had a great idea of vested interests and vested rights, and the moment any change was proposed, everybody insisted that he had a perfect right to remain as he was before. Whether his position had been one of idleness or of usefulness seemed quite immaterial; if he were touched in any way he demanded compensation. Unfortunately, in recent times there had been a disposition to comply very readily with this sort of claim, for the purpose, as it was described, of getting the Bill comfortably through the House. It would have been better very often to resist such claims, and to press the measure on the ground of public necessity. In this case, however, the Act, had been passed, compensation had been granted under it, and all that could be done was to carry out the arrangement. In some particulars the apparent increase of Estimate would be only nominal, for the increase of salary was in substitution for fees which would in future be paid, not to the officer, but into the Consolidated Fund. There was, also, a transfer of charge from other funds to the Vote. The three causes which he had now explained together occasioned a charge of £19,000; and it appeared to Her Majesty's Government that the best and most distinct way of bringing the matter forward was in the shape of a Supplementary Estimate, so that the House might have before it any increase in the expenditure. His hon. Friend viewed Supplementary Estimates with dislike. But if the House were to adopt that view, the only possible course would be to bring forward very outside Estimates in the first instance; and he was sorry to say that when once an Estimate was voted, everybody concerned in spending apparently thought it his duty to get rid of the money to the full extent of the Vote. The better course, therefore, was to frame the original Estimates as closely as possible to the probable requirements; and if afterwards it became necessary to provide for an excess, to bring it forward in a shape that admitted of its being examined and inquired into by hon. Members.

Mr. SCOURFIELD said, he hoped the warning just given by the Secretary to the Treasury with regard to the mania of moving for Returns would not be thrown away upon a new House. He might speak freely on this matter, for during the seventeen years he had been in the House he had only moved for one Return; it was contained on a single sheet of paper, and he would candidly admit that he believed it was nearly useless. The great body of the Returns published were not only useless but mischievous, for they produced a feeling of despair upon the Members. One very hard-working Member of the House told him that if fewer Returns were published he should read a great many more of them. The only way of checking the multiplication of these Papers would be the adoption of some salutary rule, under which the Member moving for the Return would be obliged to pay a percentage of the expenditure involved in its production.

Resolution *agreed to.*

BURIALS REGULATION BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Law which regulates the Burial of Persons in England not belonging to the Established Church.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. HADFIELD, Mr. CHARLES REED, Mr. HENRY RICHARD, and Mr. CANDLISH.

Bill *presented*, and read the first time. [Bill 33.]

House adjourned at half after Nine o'clock.

HOUSE OF COMMONS,

Wednesday, 3rd March, 1869.

MINUTES.] — SELECT COMMITTEE — General Valuation, &c. (Ireland).

PUBLIC BILLS—*Ordered*; *First Reading*—Lands Clauses Consolidation Act Amendment * [34]; Life Insurance Companies [35]; Game Laws (Scotland) (No. 2) [36].

Second Reading — Sunday Trading [5]; Election Expenses [7] *negatived.*

BAYSWATER MARKET AND BATHS BILL. (*by Order.*) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. T. CHAMBERS moved that the Bill be read a second time upon that day six months. This was a Bill for the establishment of a market and baths between Westbourne Grove and Westbourne Park, in the parish of Paddington, and for this purpose four persons, whose names were mentioned in the Bill, were incorporated, with power to take land compulsorily. The addresses of these persons were unknown, and he had tried in vain to find them. The promoters of the scheme proposed to take certain land belonging to the vestry and the trustees of the poor of the parish of Paddington. They also sought powers to build houses upon the frontage of this land. Five years was the period they asked for the completion of the works, and after the market and baths were constructed they wished to be allowed to hold them for ninety-nine years, or to be permitted to sell or dispose of them to a corporation or other persons. The objections to the Bill were very numerous. First of all, there was not the slightest necessity for a market in the locality, nor did the inhabitants demand any such thing. The affair was, in fact, a mere building speculation. The parish authorities opposed the measure, because they were to be deprived of land which they held for behoof of the poor, merely to accommodate certain private and unknown speculators who desired to turn the scheme to their individual profit. Those who promoted the Bill pointed to Lambeth as an instance of the good that was gained by the establishment in the metropolis of markets like the one proposed. It was quite true that the market at Lambeth served very useful purposes; but the case of Paddington was very different from that of Lambeth. The latter had a very poor population to whom the market was a convenience, but the former was a district filled almost entirely with houses of a first-class character, which were inhabited by rich people, whose convenience was amply provided for by a large number of shops of every description. This proposed market was to be placed in a situation where there was a very great traffic of cabs and omnibuses, and would prove an obstruction. Moreover, it was the intention of the promoters to open up Westbourne Park, and make it a thoroughfare—a step that would seriously diminish the value of the house property in that neighbourhood, as the people who lived there had taken up their residence in that spot on account of its quietness and its retired situation. Apart, however, from these objections, there was one which took precedence of them all; and that was that it was not the practice of Parliament to give compulsory powers to any company merely for the advancement of a purely private speculation. They had an instance of this in what occurred not long ago. A proposal was made by some private speculators to pull down the houses in the narrow part of the Strand, in front of Holywell Street, for the purpose of erecting a large hotel. When the Bill came under the consideration of Lord Redesdale that noble Lord declared that Parliament would never give such a power to private speculators; and that it would be very unfair to throw upon the parish the immense expense of opposing such a measure before a Select Committee. The Bill was accordingly thrown out upon the Standing Orders, and this was what he (Mr. Chambers) wished the House to do upon the present occasion. The inhabitants of Paddington had instructed him to say that they did not want the proposed market; that it would be a nuisance to the neighbourhood, and would seriously deteriorate the value of property, and that the vestry ought not to be deprived of the land which they held for behoof of the poor, and which was yearly increasing in value. He hoped, therefore, that the House would reject the Bill, and not allow it to go before a Select Committee.

COLONEL SYKES seconded the Motion. He had no hesitation in saying that the proposal of the promoters of this scheme was an outrage upon the people of Paddington. It was a mere jobbing speculation on the part of persons, whose very names were unknown, to rob the poor in order to advance their own interests. He was sure the good sense of the House would never grant such a demand.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr Thomas Chambers.*)

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

METROPOLITAN STREET TRAMWAYS BILL. (*by Order.*) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. PEASE moved that the Bill be read a second time that day six months. He said he did so simply because no other Member had placed any notice of opposition to this project on the Paper. The other evening the House, on constitutional grounds, refused to allow a Bill to be introduced by a noble Lord; and there was an equally important constitutional question at stake in connection with this Bill—namely, whether or not the House would grant permission to a private company to monopolize a large portion, and in some cases one-half of the roadway of some of the chief thoroughfares of the metropolis. The House would have to judge whether this could be done without seriously affecting the public interests and greatly damaging the public convenience. There was a Motion on the Paper to refer this Bill to a Select Committee, but he thought the House would come to a much better decision than any Committee. Hitherto the history of tramways in the metropolis had been one of failure and disaster. The first scheme of the kind that ever was proposed was rejected in 1858, and in 1861 upon the proposal being revived, it was thrown out without a division. Again in 1866-7 a Tramway Bill was rejected upon the Standing Orders, and in the following Session it met with a similar fate at the hands of the House itself without a division. Trial of the tramway system had been made in the Westminster Bridge Road and Victoria Street, and in Bayswater Road, but without success, and ultimately the rails were pulled up and the schemes altogether abandoned, all parties agreeing that it was altogether unsuited to the thoroughfares of the metropolis. Had the parties who promoted this Bill confined their proposal to Kennington Road he should probably not have objected, but they proposed to lay down tramways in Westminster Bridge Road, where the traffic was very great, and where great public inconvenience would be the result. They were told that the system worked well in New York, but it was to be remembered that neither in Fifth Avenue nor in Broadway of that city, which were chief thoroughfares, were there any tramways. Moreover, the people of New York were in a measure compelled to use tramways on account of the state of the pavement which, according to Mr. Sala, was so execrable that hansom cabs could not traverse the streets. Copenhagen was also cited as an instance of the good working of the tramway system, but it would be well to bear in mind that more carriages passed up and down Westminster Road in the course of a day than were to be found in all Copenhagen. Were the rails laid alongside the road they would seriously interfere with the business of the tradesmen and merchants along the route, for it would prevent carriages from standing before their shop doors; and would prevent carts from being loaded and unloaded with their goods. If, on the other hand, the rails were laid in the middle of the road the progress of vehicles would be seriously interrupted, and drivers would have continually to cross and re-cross the rails. The narrow part of the Westminster Bridge Road was only 37 feet 6 inches wide, and if the tramway were laid in the centre only 14 feet would be left on each side for other vehicles. In Palace Road the width was only 29 feet. In Stangate the width was only 13 feet 10 inches. He was told that the rails to be used by this company were very superior to those which were laid down by George Francis Train. There certainly was some difference between them, but it was not such as to warrant any argument being based upon them in favour of the Bill. No one could deny that after the rail had been down a short time the rail on the blocks of granite would be three or four inches above the road, and would be dangerous to any carriage that was driven over the rails. He begged to remind the House that the Metropolitan Police Bill which had recently been passed placed in the hands of the Commissioner of Police great powers for the purpose of regulating the traffic, and these powers would, to a large extent, be rendered nugatory if they now placed half their streets in the hands of a private company. But it was urged that these tramways would be a great benefit to the working classes. On that plea he had supported the experiment made of a tramway along the Old North Road, one of the widest highways of Darlington, but after a short time everybody came to the conclusion that it was only a great nuisance, and it was taken up. But let them look a little into the benefits which were to be conferred on working men by this scheme. There would be two carriages morning and evening, at the rate of ½*d.* a mile, which would, allowing sixty to the carriage, accommodate 120 workmen. For the rest of the working men and the public there was a minimum charge of 3*d.* a mile, so that the plea was simply absurd, and would not for a moment compare with facilities afforded by the railway companies—the Metropolitan having agreed to run workmen's trains morning and evening, charging 1*d.* for the whole distance from Kensington to Trinity Square, Tower Hill. For these reasons, he hoped the House would reject the measure, and not throw upon the objectors the expense of fighting the Bill before a Select Committee.

Mr. LOCKE seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Pease.*)

Captain GROSVENOR said, although he rose for the purpose of asking the House to take an entirely different view of the case from that which had been taken by the hon. Gentleman who had just sat down, he (Captain Grosvenor) could not affect to feel surprised at the prejudice which existed against the tramway system when he considered that it was associated in the public mind with the recollection of that obnoxious agitator, Mr. George Francis Train. That gentleman obtained leave to lay down various tramways, and not satisfied with constituting himself a public nuisance by his manner, tone, and general method of procedure he laid down his rails upon a principle so faulty as to threaten the destruction of any carriage with ordinary wheels that ventured upon their track. He would remind the House, however, that it was not Mr. Train who was now applying for power to lay down tramways, nor did the promoters intend to revive the imperfect invention of that gentleman. They proposed to pursue a course in every way the opposite of his. First, by every means to conciliate the public; and, secondly, to lay down rails in such a manner that they could not by any possibility obstruct the ordinary traffic. The interests of the company itself, as well as the strict provision in the Bill, guaranteed that this would be done—because if the rails were not laid down in a manner which commended itself to the public, they would have to be taken up again at great expense. As regarded the practicability of the project, it had long since been established by actual experience. Darlington had been referred to by the hon. Gentleman who had just sat down as an instance of the failure of the system, but for his part he would adduce the case of Birkenhead, where it had been amply tried, and was a great success. An attempt had been made by some interested persons in Birkenhead to do away with the tramways on the ground that they were an inconvenience, but the jury before whom the case was tried declared that they were not a nuisance but an advantage; and the verdict was confirmed by acclamation in the town. That was in 1865, and from that time up to the present Birkenhead had enjoyed the use of the tramways. The prejudice, therefore, which existed against the name of Mr. Train should not be allowed to stand in the way of effecting a great public improvement. Who were the objectors to the proposal? The proprietors of the public vehicles that at present plied in the thoroughfares of the metropolis. From what these gentlemen said, one would suppose that London was supplied with better and cheaper means of locomotion than any other city in the world, instead of something like the reverse being the case. These omnibus proprietors who now opposed tramways, had not been always of opinion that they were mischievous. On the contrary, he found from the Report of the General Omnibus Company of 1857 that their chief engineer was in favour of the tramway system; and, in *The Times* of November 20 in that year he had seen it stated that the company were about to expend £50,000 of their surplus capital in laying down tramways for their own use. The fact that the directors had not carried out their intention he regarded as a loss both to themselves and the public. His object in mentioning this was to show that the omnibus company who now objected to tramways had really approved of their principle. It seemed to him that the practical objections to this Bill were very difficult to find, and though he had listened with attention to the statement of the hon. Member for Durham (Mr. Pease) he had not been much assisted in getting at these objections. One statement made by the hon. Gentleman was to the effect that the streets of London were too narrow for the successful application of the tramway system. An answer to that was to be found in the practice of foreign cities where tramways were common, although the streets were narrow and also crowded. Apart from this, however, the Bill did not contemplate the introduction of tramways into any thoroughfare that could properly be called both crowded and narrow. The vestry of St. George's, Hanover Square, had petitioned against an analogous measure on the ground that they objected to giving up a portion of the public way to a company of speculators. This was not a question, however, of giving up a portion of the thoroughfares; for after the tramway was laid down the public would have precisely the same rights over the roadway as at present. The only right the vestry would give up was that of paying for the maintenance of that portion of the road used by the company. It was urged that the promoters were speculators, and that they ought not to be encouraged; but he did not think the House would be inclined unduly to curtail the spirit of legitimate enterprize. It was gratifying to find that, with one exception, the vestries concerned on the other side of the water, appreciating the advantages which would thus be conferred upon the ratepayers, gave their cordial support to the promoters of the Bill. He felt confident that, taking into consideration the peculiar circumstances of the case, the inducements held out to the promoters by special Standing Orders to proceed with their Bill, and the money which had been spent in bringing matters to this stage, the House would at all events afford the promoters the opportunity of obtaining a fair and candid consideration of their scheme. This was all that the promoters asked, and all that they required in order to prove that the realization of their scheme would confer a substantial and unqualified benefit upon all classes of the community.

Mr. LOCKE said, he was not surprised at the support which the hon. and gallant Member for Westminster (Captain Grosvenor) gave the Bill when he considered that the scheme did not propose to carry the tramways into Westminster. But on behalf of the people of Southwark, who were directly interested, he (Mr. Locke) was there to oppose the measure. Unfortunately with regard to private Bills, nobody seemed to know anything about them. It was very difficult to ascertain, for instance, who were for and who against such Bills. In the present case they were told that a number of philanthropists had banded themselves together for the purpose of benefiting the public at large. He, for his part, however, must acknowledge that he had never seen one of those so-called benefactors in his life. He believed that, in this instance, a good many of them came from across the Atlantic, and they came according to their own account in order to benefit the British public; but he hoped the British public would be able to estimate these proposals at their true worth. These philanthropists maintained that the tramways would be flush with the road, but how could any tramway having a groove in it for a flange to run in be flush with the road? The difficulty with regard to Mr. Train's tramways was, that no carriage could pass over them without danger, and sometimes accidents were the result. The Court of Queen's Bench having declared them a nuisance they had to be taken up. He had taken the trouble to go to Kennington to look at the plans and the model of the rails of the proposed tramway, in order to see whether they fulfilled the description given of them in the Notice Papers of the House. He had found that the tramway was not flush with the roadway, and that the same kind of inconvenience would occur as occurred in reference to Mr. Train's tramway, though perhaps it would not be to the same extent. These philanthropists would monopolize the road. ["No, no!"] What he called monopolizing a road was this—that the tramway upon which the carriages were to run would be so laid down that the vehicles passing along them could by no possibility turn out of the way, for there were flanges to the wheels. If this was not "monopolizing" part of the road, he did not know what he was to understand by monopoly. He would call to the minds of hon. Members the state of Westminster Bridge when it was first thrown open to the public, and when no vehicle could cross from side to side of the road, the centre being appropriated to heavy traffic. Everybody objected to that state of things, but no one moved in the matter except himself, and he asked a Question—indeed he believed that he kept on asking it about once a fortnight throughout the Session. He spoke to his right hon. Friend, the then First Commissioner of Works (Mr. W. Cowper) upon the matter, and what he heard from him was, that Mr. Page was enamoured of the plan, that he (the First Commissioner) did not approve of it, and that it would in time go. Now it had gone, and they had an opportunity of seeing what Westminster Bridge was with the tramway gone. He asked the House to consider where it was proposed that these tramways should go in Southwark. They were to start from Westminster Bridge, and go along York Road, which was not a very wide road; they were to cross Waterloo Road, and were then to go the whole length of Stamford Street, then to cross Blackfriars Road into Southwark Street, and thence along Southwark Bridge Road to the bridge. He could not conceive a greater inconvenience than that of a company monopolizing these roads, which formed a principal line of communication between Westminster and the City. If the Bill were passed hon. Members, on taking this new and quick route, would have those tremendous vehicles of the company rushing along their road and subjecting them to all kinds of danger; and it was not shown that any particular class of people would be benefited by it. It was indeed said that it would be a great thing for the working classes; but this was said by the philanthropists; and no doubt it would be a great good to these last-named people. There had lately been great difficulty in floating anything; there was no buoyancy in the British public; but when any concern could be got to float no doubt it was a good thing for those who got it off. It was said that if the thing did not pay the company would give it up; but who was to make them give it up? and they all knew possession was nine points of the law. He should like to know who would be the man to "bell the cat" and turn the company out of our narrow streets. His plan was not to let them in. The philanthropists said that they must adopt this scheme because so many places had adopted it. It was said that it had been adopted in America. Now he (Mr. Locke) had never been there, but the other day he heard a gentleman speak who was very fond of America, and doated upon American institutions, and he said that the greatest nuisance was these tramways in Philadelphia. Paris also appeared in the programme of the philanthropists, and it was stated in their document that they had got a tramway from Paris to Boulogne. [An hon. MEMBER: Bois de Boulogne.] No, it was "Boulogne." Every hon. Member knew that there was a little village a short distance out of Paris called Boulogne; and the company had used the name of this place, and left the ignorant to imagine that the tramway went all the way to the town of Boulogne, and greatly facilitated the communication between Paris and England. Now, where were the tramways laid down in Paris? They started close to the Place de Carrousel, which was a large open space, and they ran along by the river on an immensely wide road; and in this way they got to St. Cloud, and, he believed, also to Versailles. The case might have been somewhat parallel to London if there had been tramways along the Boulevards—which, by-the-by, were perhaps twice as wide as any street in London; but though Baron Haussmann was a bold man, yet he had never attempted this, and he (Mr. Locke) firmly believed that were he to attempt to lay down a tramway along the Boulevard, even with the Emperor to back him, the public would not submit to it. There was no tramway in Paris along any street in which there was a large traffic, though there was no better managed city; nor any where there were more omnibuses, nor where it was more necessary that the working classes should be accommodated. In his opinion there was no necessity for this Bill going to a Committee, because hon. Members could well judge of the question from their own knowledge of the state of the public roads. In his opinion the steamboat and omnibus accommodation were amply sufficient to supply all the public wants along the line which he had pointed out, through which it was the intention of the Company to lay down these trams in the borough of Southwark, and he hoped that the House would vote that the Bill should be read a second time that day six months.

MR. MAGUIRE said, he wished to give his testimony as an independent witness to the value of tramways. Although up to a recent period he had been much prejudiced against them, his recent experience of their working in New York and New Orleans had led him to the conclusion that they were of the greatest public utility. The hon. Member for Durham (Mr. Pease) had quoted Mr. Sala as a conclusive authority on the subject; but although one who appreciated light literature and admired Mr. Sala's ability, he contended that Mr. Sala's fault was that of a sensational writer who could do nothing unless he laid on the colours thick. Mr. Sala was a most amusing companion at the breakfast table; but he was about the last writer in England upon whose testimony he would rely, or to whom any Member, having respect for his position as a legislator, should go for facts on a matter of grave importance. Mr. Sala's description of New York was extravagant and nothing but a caricature, the result of Mr. Sala's playfulness of style. He said this from what he had seen during five weeks' residence in the City of New York. The tramways would be of the greatest use to all classes, and the argument that the two workmen's cars would carry only 120 persons during the day was fallacious, because the passengers would not ride the whole length of the line, and would most probably be replaced four times in a journey. The fact was that the tram ways in New York and elsewhere were of the greatest value to the working classes. He admitted that some of the American tramways were faulty, but the majority of those he passed over in carriages did not obstruct the passage of the wheels in the least. He knew that in New Orleans the tramways were an immense property, and he believed that there was hardly a town in America of 40,000 inhabitants in which there was not a street tramway. He asked, would there be any harm in sending the matter to a Select Committee, so that they might not legislate upon any absurd prejudice or false statement? The reason why tramways were not generally adopted in Paris was that the system of "correspondence" was perfect, and one of the cheapest in the world. He, like the hon. Member for Southwark (Mr. Locke), did not believe in philanthropists, but he did believe in speculators, and it would not be worthy of the House to be carried away by an idle sneer against a class of men who had done so much for England. Our railways and many other most important social undertakings were entirely the result of private speculation.

Mr. LAIRD said, he could give his most emphatic testimony to the value of street tramways. Some years ago one

was laid down in Birkenhead, and the mode of working was at first greatly complained of. The rails were thereupon removed and replaced by others, and from that time there had been no complaint. Now, nothing would occasion a greater annoyance to the inhabitants of Birkenhead than that the street railways should be removed. They ran from the Ferry to the very heart of the town, and were a convenience to thousands of working men. He himself was constantly riding through the streets of the town, but he never found that there was any danger or inconvenience arising from the tramway. There was another street railway in Liverpool, which ran by the six miles of docks, and it was a great accommodation, and he had never heard of any inconvenience arising from it.

Mr. SHAW-LEFEVRE said, he wished to express the opinion of the Board of Trade that this Bill ought to be referred to a Select Committee, and to state that the Metropolitan Board of Works entertained the same opinion. The question then before them was not whether the scheme proposed was all that could be wished, but whether, considering the testimony borne to the value of tramways by the last two speakers, the subject did not deserve inquiry. He could support the view taken by the hon. Member for Cork (Mr. Maguire) from his own experience of tramways in America; he had never experienced any shock when passing over the line in a private carriage. He fully concurred as to the advantages derived from tramways in America. There was scarcely a town in that country which was without a tramway, and he saw no reason why a good system of trams should not be tried in the less crowded thoroughfares of the metropolis. There were no less than three Bills now before the House which proposed that forty-one miles of tramways should be laid down in the suburbs, and he understood that it was the intention of the hon. Member for Frome (Mr. T. Hughes) to move to refer all these Bills to the same Committee, and that the Standing Orders should be suspended, so as to permit anybody whatever to oppose the Bills without being objected to on the ground of *locus standi*. On the part of the Government he should support that Motion, he hoped therefore that the Bill would be read a second time.

LORD GEORGE HAMILTON said, his experience of the American tramways had been quite the opposite of that of the hon. Member for Cork (Mr. Maguire). Tramways were possible in the United States only because the streets were very broad, ran at right angles, and were but little encumbered by traffic. If tramways were so advantageous as had been stated, why did not the most enterprizing people in the world lay them down in Broadway? In Montreal, the only tramway that paid was one that ran from one end of the town to the other, and it paid because in some parts the roads were so narrow that people were obliged to use the tramway to make their journey. The hon. and gallant Member for Westminster (Captain Grosvenor) had said that if the tram were found to be a public inconvenience it would not pay, and then the company would have to remove it; but if the company monopolized the road, as the Montreal tram did, the line would be sure to pay, because the public would be obliged to use it. It was said that if tramways were adopted, the inhabitants would have to keep only half the width of the roads in repair; but then the half would have the traffic upon it doubled, because the traffic would be diverted from the tramway to the common road; so that the cost of machinery of the road borne by the parish would be much the same as it was now. Another objection was the stopping of the ordinary traffic by the police to allow the passengers to get from the trams to the pathway. The danger of the trams was notorious. He had recently heard of a gentleman's carriage being smashed to pieces through being unable to get off the line in time; and when in New York, he had heard of forty accidents occurring in one day. He had himself driven before a car on a tram, and it reminded him of nothing as much as flying before an express train at full speed.

MR. BAKER said, he strongly objected to the measure, and must oppose the second reading. The proposed trams ran into Essex, although the title referred only to the metropolis. As the measure stood trams might be extended even into Sussex. There was a part of the road between Whitechapel and Stratford so narrow that it was called "the funnel," and let the police do their best to regulate the traffic, it would be impossible, if this tramway were established, but that accidents would be greatly increased.

MR. WHITBREAD said, he thought it was very inconvenient to decide questions of this sort in the House. As the testimony with regard to the working of tramways in New York and elsewhere were most conflicting, the proper course would be to send the Bill to a Committee. They could not have before them in the House the plans and sections necessary to determine the matter, and surely it was not because ten years ago an objectionable plan was brought forward, that they should now decide against any plan whatever. At present the working classes in London travelled great distances on foot, and anyone who devised a plan by which they could be relieved of this necessity must be regarded as a public benefactor.

MR. M'ARTHUR said, that most of the arguments against proceeding further with the measure, reminded him of those which were formerly used against railways. He had travelled in street tramways in the crowded thoroughfares of New York, and he had no hesitation in saying that if the system were once fairly introduced into the metropolis, such advantage would result, that everybody would be opposed to its withdrawal. He hoped the measure would be allowed to go to a Select Committee.

LORD CLAUD HAMILTON said, that the hon. Member for Southwark (Mr. Locke) in his description of the tramway in Paris, had omitted a most important point, which was that it ran at right angles to the four or five bridges over which the entire traffic of the city passed. When he met the hon. Gentleman in Paris at the time of the Exhibition those bridges were crowded with carriages, which crossed the tramway diagonally without slackening their speed; and he wanted to know whether his hon. Friend had ever heard of an accident having occurred there. He thought it hard that any well-considered plan should inherit the prejudice which had been created by the scheme of Mr. Train.

MR. ALDERMAN LAWRENCE said, admitting that the question of rails or or carriages or of the public advantage of tramways was a proper one for a Committee, he entertained a strong preliminary objection to the measure —he objected to giving up a portion of the public streets to any private company. If the scheme were a good one the road ought to be under the control of the public authorities; the most that should be done was to let it to a company. He hoped the Board of Trade would protect the interests of the public in that respect, and not allow a portion of the Queen's highway to be alienated, as it would be, for ever by this Bill.

Mr. WALTER said, if his vote on this question depended solely upon his experience of Mr. Train's railway he would have given this proposal his unqualified opposition. But, having witnessed the operation of the tramway system in almost every important town in North America, and knowing what was to be said on both sides of the question, he felt unable to refuse his assent to sending the Bill to a Committee. He thought it would be of great importance to what sort of a Committee the Bill should be referred, as this was a question which could only be decided properly by experience, and the British public were very little conversant with the working of the tramway system. Our crowded thoroughfares in the City of London, and the more densely peopled portions of the metropolis were totally unsuited to it; but there were, nevertheless, parts of the metropolitan area—for instance, the Stockwell Road, the Whitechapel Road, and many others of the less crowded thoroughfares in which a system of tramways would be an unmixed benefit. It would, he thought, be the duty of any Committee to take a much broader view than was opened by this Bill, and to see whether a much larger scheme might not be adopted in the outskirts of London without interfering with the crowded thoroughfares. As to what had been said of New York, you would not find a single gentleman there who would not bear testimony to the great advantage to the whole community of the tramway system, and yet there had been a constant fight going on between the authorities of the town and the tramway companies about getting a tramway into Broadway. He remembered one Sunday morning finding the road in Broadway pulled up and a number of men laying down tramway rails as fast as they could. The reason they did it on Sunday was because the courts of law could not grant an injunction to restrain them on that day. That was what some would think rather taking a Yankee advantage. But, when he returned to New York, he found the street restored to its normal condition and the tramway taken away. We might take a lesson from the Americans with respect to this matter. They were a practical people, and they would no more allow a tramway to be put down in one of their crowded thoroughfares than they would dispense with them where they could be usefully applied.

Mr. BREWER said, that the reason why the authorities of St. George's, Hanover Square, gave only a very qualified opposition to the proposal was because they considered that the traffic of London was one of the difficulties of the age. They doubted, however, whether it would be expedient to transfer the care of the roads from a public body to a private one. The substitution of a groove for a flange was considered a great improvement.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 209; Noes 78: Majority 131.

Main Question put, and *agreed to*.

Bill read a second time, and *committed*.

Ordered, That the Metropolitan Street Tramways Bill and all other Metropolitan Street Tramways Bills be referred to the same Committee; and that all Petitioners who may pray to be heard by themselves, their Counsel or Agents, against any of the said Bills, be heard, without reference to any question of locus standi, upon the allegations contained in their Petitions, if they think fit, and Counsel heard in favour of the Bills against such Petitions.—(*Mr. Thomas Hughes.*)

PARLIAMENT—THE EASTER RECESS.

OBSERVATIONS.

Mr. AYRTON said, it might be convenient to hon. Members if, in the absence of the First Lord of the Treasury, he were to inform the House that, if the state of Public Business would admit, it was the intention of his right hon. Friend to move that the House, at its rising on Tuesday, the 23rd inst., be adjourned until the 1st of April.

ASSESSED RATES BILL.—QUESTION.

In reply to Sir Michael Hicks-Beach,

Mr. AYRTON said, it was proposed to put this Bill down for Monday instead of Thursday, but, if it should be found that it would be inconvenient to hon.

Members to discuss it on that day, the Government would be prepared to consider any application on the subject. It was very desirable, however, that the House should proceed with the second reading as soon as possible.

SUNDAY TRADING BILL—[Bill 5.]

(*Mr. Thomas Hughes, Lord Claud Hamilton.*)

SECOND READING.

Order for Second Reading read.

Mr. THOMAS HUGHES, in moving the second reading of this Bill, said, he desired shortly to remind the House of the position of the question to which it related. Legislation on that question had been recommended by two Select Committees of the House of Commons, and one Select Committee of the House of Lords; and the present Bill, or one exactly similar, except on certain minor points, was introduced by himself, and read the second time without a division in that House in 1867, and again in 1868; its second reading was carried on a a division by a majority of more than 2 to 1. Two successive Secretaries of State under the last Government approved of considering the Bill in Committee, and of legislation on the subject; and he was authorized to say that the present Government also thought it desirable to allow it to go into Committee that it might be modified in the second clause, on which the Bill chiefly turned, and that some measure of that kind ought to be passed. At present the law in reference to Sunday trading rested upon the statute of the 29th of Charles II., and the lapse of more than 200 years since that Act was passed had greatly changed the state of things to which such legislation was applicable. Indeed, the position which that Act occupied on the Statute-book was of itself sufficient to show that it was not likely to be suited to modern circumstances, and required amendment, for it stood between the Statute of Frauds and the Act repealing the Writ *de Hæretico Comburendo*. The statute of Charles II. prohibited the dealing on Sundays in any article whatever, with the exception of milk, up to nine o'clock a.m., and of cooked provisions in places properly licensed for their sale. The method provided by that Act for carrying out its principle was one that had been found totally unworkable—namely, a fine of 5*s*., levied in the first instance on the goods offered for sale. The process was that the goods should be seized and sold by the authorities, the fines deducted from the proceeds of the sale, and the surplus handed over to the persons who had broken the law. Some time ago, in order to enforce the law, about 800 summonses were taken out in South London against persons charged with that offence, 700 of those persons promised to abstain from Sunday trading, saying that they should be thankful if all shops could be closed; but the 100 remaining on the list completely defied the law. The magistrates found they had not the power to make the law work, and the consequence, in regard to Sunday trading in the metropolis was that matters were getting worse and worse, and the law was now deliberately broken week after week in every street and square. He should mention, perhaps, that since the statute of Charles II., a small Act had been passed in the reign of Queen Anne enabling mackerel to be sold at certain hours on Sunday, as also another Act regulating the baking trade. In the year 1858 the then Archdeacon of Middlesex (Archdeacon Sinclair) went carefully into this subject, and compiled statistics showing that in certain districts of the metropolis, then comprising a population of about 500,000, out of nearly 13,000 shops 6,825, or more than half the entire number, were kept open after ten o'clock on Sunday morning. Since then matters had grown worse, tradesmen who formerly, in his own experience, did little or no business on Sundays now systematically violated the law, unwillingly in most cases, but driven on by the intense competition to which they were subject; and that was going on in all parts of London. Last Sunday he (Mr. Hughes) walked through a small district of the metropolis, and at the end of one street he found the three shops adjoining each other open to the public, and their proprietors canvassing for business. Those shops were a butcher's, a shoe shop, and a tinman's. He remembered, a few years ago, when the butcher did business in a quiet deprecatory way, and his neighbours were closed; now he was roaring "Who'll buy" in the middle of the street; the shoeman was polishing shoes in his apron, showing however his respect for the day by wearing his best hat and coat; and the tinman's door was open with goods deposited for sale round it. He firmly believed that what

Lord Russell said in 1866 was perfectly true—namely, that unless Parliament interposed to do something in this matter they ran great risk of losing Sunday altogether as a civil institution, for he would not here treat of that day in its religious aspect. Much had been spoken and written about the want of reverence for the law in England of late years, and no doubt there were many signs which showed the fact to be so ; but how were they to expect the people in general to retain their respect for law when it was allowed to be openly broken week after week, in every part of the metropolis, without the Government or the local authorities being able to stop its breach? A correspondent of *The Times* last autumn gave a description of the great bird fair near Bethnal Green. That description was not exaggerated, and it showed that in a large district, including two churches, a regular fair was held, in which not only fancy dogs and birds, but marine stores, haberdashery, and other goods, were sold not merely at an early hour but during the hours of Divine service. Parliament, he maintained, was bound to make the law in that matter such as they believed would be for the good of the public, and also to give the local authorities the means of carrying it out. What, then, were the alternatives open to them? Firstly, they might sweep away all legislation on that subject, and leave Sunday trading entirely to the good sense of the community. He did not, however, believe the House would agree to that. Secondly, they might strengthen the Act of Charles II. by imposing penalties that could really be worked so as to make that Act one which could be effectually enforced in the metropolis and in other large towns. He would be sorry to see anything of that kind done. He came, therefore, to the third alternative. He thought it was better not to strengthen the Act of Charles II., and leave it simply as the governing statute on that subject. Still, as many persons felt great attachment to that statute, they might enact that, excepting so far as the Act of Charles II. was inconsistent with or was altered by the provisions of that Bill, it should continue unrepealed. Then came the question, what were the proper modifications of that Act which ought now to be sanctioned? The second clause of the present Bill stated what those proposed modifications were. No doubt there would be large differences of opinion as to what trading ought and what ought not to be permitted on Sunday morning, but that was a question on which only a Committee of that House could properly decide. He would simply now say that the principle on which the Bill went was this—That all provisions of a perishable kind might be sold up to nine o'clock on Sunday morning; that cooked provisions and some other articles should be allowed to be sold up to ten o'clock; and that certain of those articles, such as milk and cooked provisions, should also be allowed to be sold after one o'clock; but that between ten and one there should be no sale whatever of any articles. It was said that this legislation would specially affect what were called "the dangerous classes" — that there would be some disturbance in the metropolis if such a measure as that were passed. He did not believe that to be so in the least, and he had given the question a good deal of careful attention; but even if it were the fact, he had yet to learn that Parliament was bound to legislate only for the safe classes. It was, he held, absolutely necessary to legislate on that question, and it was their duty to pass such laws in relation to it, as to other matters, as they conscientiously believed would be most beneficial to the whole community, whatever particular class they might please or displease. And if the present authorities or the present police were not sufficient to carry out the law so passed, let them be doubled, or, if that were still found insufficient, let them be doubled again. The old system of letting all these things take their course, hoping that they would come out right of themselves, had been tried many years, and certainly in that metropolis it had proved a great failure. What the people wanted in London, as elsewhere, was not less government but more. They wanted in many departments a stronger hand than they now had; and as Parliament now for the first time represented every class, and, therefore, had the whole country at its back, surely it ought to be able to legislate in the direction he had indicated. The hon. Gentleman concluded by moving the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Thomas Hughes.*)

Mr. P. A. TAYLOR said, he had not intended to address the House upon this Bill, but as no other Member appeared disposed to oppose the Bill at this stage, he would move its rejection. The question involved considerations connected both with political economy and with the liquor traffic, which ought to be kept distinct from mere Sabbatarian views; and he thought the better course would be to refrain from all partial legislation of that kind, which would only tend to make of their existing legislation on that subject "confusion worse confounded." If the hon. Gentleman would draw up a Bill distinctly embodying his own views, instead of vainly attempting to reconcile the divergent opinions of incongruous parties, who would not be satisfied with that measure when it had passed, the House would then be enabled to deal with it. As the Bill now stood he strongly objected to it, and begged to move that it be read the second time that day six months.

Mr. BRADY seconded the Amendment. He was sure from personal knowledge and observation that such a measure would be distasteful to the great majority of the people of London. It was a mistake to suppose that the Sabbath was less observed in the metropolis now than it was twenty or thirty years ago. The fact was that there was a much more satisfactory observance than was formerly the case. The hon. Member for Frome (Mr. Hughes) on a former occasion brought forward this measure to please a certain section of his Lambeth constituency, but he was at a loss to know why he had again brought forward the subject with no further additional arguments in its favour than the hon. Member's reference to three houses—the butcher's, the tinker's, and the shoemaker's. The measure would operate harshly on the poorer classes, many of whom received their wages too late on Saturday to make their purchases on that day, and, moreover, had no pantries in which to keep their provisions in proper condition even for a single night during hot weather. Moreover it was necessary that Sunday trading should be allowed, in order that small tradesmen, who often had to borrow money late on Saturday night of the publican, should be able to procure the necessaries of life.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Taylor.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. MACFIE said, he would give his support to the Bill. He considered that they ought to legislate in such a way as would enable respectable tradesmen who had been accustomed to close their shops on Sundays in a Christian country to continue to do so. Again, the young persons employed all the week in shops ought to have an opportunity afforded them of going either to places of worship or to their homes on Sunday as they thought best. He, for one, disclaimed the name of Sabbatarian. The State enacted a day of rest as a civil institution, and to that he hoped it would steadfastly adhere. The State ought to enforce nothing but rest; it ought not to call upon those who rested to go to church. That was a matter of conscience. But he trusted the State would always secure to those who wished to go to a place of worship on Sunday the requisite time for doing so.

Mr. AYRTON said, that as his right hon. Friend the Secretary of State for the Home Department was unfortunately unable to be present, he desired to state on his behalf that the Government did not wish to offer any objection to the second reading of the Bill. As it was usual to allow Bills of that kind to be read the second time in order that their details might receive careful consideration in Committee, he trusted the practice would not be departed from in that instance. By reading that measure the second time they would, after all, only bear testimony to what he believed to be the feeling of a great majority of the people of this country, that one day out of seven ought to be set apart for religious devotion if people desired it, or, at all events, for abstinence from ordinary work. How far that principle should be sustained by penal legislation was another question, and one that would call for careful examination in Committee. Therefore, in assenting to the second reading, his right hon. Friend did not pledge himself to any of the details of the measure. In Committee the difficulties which surrounded the subject would be clearly seen; and if his hon. Friend (Mr. Hughes) succeeded in surmounting them, and in framing provisions which met with general satisfaction, he would render good service to the public. He concurred in the opinion expressed by the hon. Member for Leitrim (Mr. Brady) that the inhabitants of the metropolis were not degenerating in regard to the observance of Sunday. On the contrary, for many years past there had been a great improvement in that respect, and an increasing appreciation on the part of the working population of the desirableness of one day in the week being set apart by law for rest from labour. The Act of Charles II., as observed by his hon. Friend, was a very imperfect measure; it was no doubt passed in a time of considerable excitement, and it did not now fulfil the purposes for which it was designed. It could not be affirmed, therefore, that the law was in a proper state; although how it was to be amended was a matter of considerable difficulty. That, however, was a question for the Committee; and he, therefore, hoped that the hon. Member for Leicester (Mr. P. A. Taylor) would not press his Amendment to the second reading.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

ELECTION EXPENSES BILL—[BILL 7.]

(*Mr. Fawcett, Mr. Baines, Mr. M'Laren.*)

SECOND READING.

Order for Second Reading read.

MR. FAWCETT, in rising to move the second reading of this Bill, said, he believed an appeal would be made to him from the Treasury Bench to refer the measure to the consideration of the Select Committee which would be appointed to-morrow to inquire into the present modes of conducting Parliamentary and Municipal Elections. If, however, such a proposal were made, he should do all in his power to resist it, as he strongly deprecated the practice of referring to Committees questions which the House itself was perfectly competent to decide. Such a practice led to a great deal of unnecessary expense, and his experience had shown him that Committees were granted with much too great readiness and frequency. After the ample discussion that had already taken place on the subject no one could deny that the House was in a position to at once come to a decision upon this question without inquiry before a Select Committee. Besides, the questions which would be referred to the Committee about to be appointed were quite of a different nature from that to which his Bill related. The Bill dealt solely with the necessary expenses of candidates, whereas the Committee would inquire into the subject of expenses which were entirely voluntary. He felt, therefore, that he should be promoting the interests of the subject with which the Committee would have to deal if he declared that, as far as he was concerned, he would, if possible, press forward the present measure through all its stages. It had been asked why the necessary expenses of candidates should not be thrown upon the Consolidated Fund instead of charging it upon the rates? In reply to that objection he would remark that some people imagined that the Consolidated Fund was a great source of wealth constantly supplied by the bounty of nature, and from which riches flowed as from a perennial fountain. In point of fact, however, the Consolidated Fund simply represented so much money gathered from the taxpayers, and he objected to this charge being placed upon it, because in such an event, the necessary expenses of elections instead of being diminished would be enormously increased. If they made the constituencies pay the necessary expenses of elections they would interest them in economy, whereas if they threw it on the Consolidated Fund they would interest them in extravagance; and in fact he would much rather things should continue as they were than throw the charge on the Consolidated Fund. But perhaps some hon. Gentlemen might say, "We are in favour of the principle of your proposal, but object to the present mode of raising local taxes"—["Hear, hear!"]—Well, they could not object to the present plan of levying iaxes more than he did, and if the hon. Member for South Devon (Sir Massey Lopes) had carried his Motion to a division the other night the hon. Baronet would not have found a more cordial supporter of it than himself. Hon. Members opposite might feel assured, therefore, that his sympathies on this subject were entirely with them. He asked the House to pass this measure because he felt convinced it was based upon a just principle. It was most important that constituencies should be made to feel that the position of a representative of the people was not one which ought to be bought at an enormous price, but that a man who did his duty to his constituents rendered to them and to the country an important public service, and that it was wrong to call upon him to pay for the opportunity of discharging such a service. This was the main principle on which he rested his argument in favour of the Bill. Some hon. Members, however, would probably assert that they could not support the measure because the constituencies would not like it; but such an assumption on their part would be ill-founded, for whenever the proposal had been explained at a public meeting the poorest of the ratepayers had expressed themselves in favour of it, as they clearly comprehended that unless some measure of the kind were passed there would be no chance of the interests of labour being properly represented in the House of Commons, while they regarded the argument about adding a burden to the rates as paltry and contemptible. On the point of expense, he had made a calculation with reference to a certain borough where there had been a contest at every election during the last fifteen years. Now, taking into account the population of that borough, the amount of its rateable property, and the necessary expenses of all the elections which had occurred, he found that, had the present Bill been in operation, the whole charge thrown upon a ratepayer in a £10-house would have been the price of half an ounce of tobacco once in three years. The people generally were in favour of the Bill, because they felt convinced that under the present system the largest class in this country could not be properly represented. After the Irish Church had been disposed of there could be no doubt that the question of national education, which was peculiarly a working class question, would become the principal subject of discussion in that House, and was it not highly desirable that there should be working men's representatives to inform the House of the views entertained by their constituents? It might perhaps be objected that his Bill dealt only with a very small branch of a very important subject. That was no doubt true, but nevertheless it dealt with a distinct branch, as there was obviously a broad line of demarcation between expenses which were necesssary and those which were voluntary. A most important principle was involved in the Bill, which he believed would be fruitful in its consequences, and of great advantage to the country. The hon. Gentleman concluded by moving the second reading of the Bill.

Mr. BAINES said, that representing a large constituency, numbering 35,000 electors, he could corroborate the statement of his hon. Friend (Mr. Fawcett) that the poorer classes had, whenever they had been appealed to on the subject, expressed themselves in favour of the Bill. In his opinion, indeed, a more popular measure could hardly be proposed. It was not right that there should be a monopoly of the plutocracy in that House. His own experience enabled him to show that the official expenses of conducting elections might be reduced, if the local authorities had a motive for doing it, as by this Bill they would have. In Leeds, at the last election, a number of gentlemen voluntarily offered to discharge gratuitously the duties of deputy returning officers and poll clerks, the result being that the expenses of the candidates were greatly diminished, and he had no doubt voluntary agency would become general if the expenses of the returning officer were thrown on the rates. This would correct some of the abuses which had grown up under paid agency. He was persuaded that a greater mistake could not be committed than to imagine that, if the expenses of elections were diminished, any great number of working men would be brought into that House. The difficulty in the case of the working man of being detached from his labour and of living for six months in an expensive metropolis, must show how visionary any such idea was. Their desire should be, however, to facilitate the introduction of working men into that House; and if they wished thus to get a real representation of the wishes and sentiments of the great bulk of the people they would diminish, as far as possible, the expenses of elections. He therefore had great pleasure in seconding the Motion of his hon. Friend.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Fawcett.*)

Colonel BARTTELOT said, he hoped the House would meet the Motion of the hon. Member for Brighton (Mr. Fawcett) with a direct negative. The hon. Member had distinctly stated that the Government would offer to refer the subject to the Select Committee which was to be appointed to consider election matters. He hoped the Government would be sufficiently firm to say either "Aye" or "No" to the second reading, as it was a matter which they must have maturely considered as it was so fully debated last year. It was perfectly true, no doubt, that the hon. Member for Brighton carried his clause on two occasions, but it was no less true that that clause was rejected last year by a very large majority. This was not only a very serious question in itself, but, if entertained, it might lead to the time of the House being occupied with a re-discussion of the Reform Act and other Acts connected with that measure. He trusted, therefore, that the House would nip this scheme in the bud by declaring that the Bill ought not to be read a second time. There were two reasons which ought to induce the House to take that course. In the first place there was the Motion brought forward the other evening respecting local taxation, which the Government had promised to inquire into; and he felt assured that that inquiry would conclusively show that the taxes pressed unfairly on house and landed property. Next there was the statement of the First Minister of the Crown that part of the surplus of the Irish Church revenues were to be given in lieu of certain portions of the county cess, which weighed heavily on the ratepayers in Ireland. Now, he maintained that the county rates were a great burden in England, and consequently he opposed the present Bill. One objection to it was that if a Member took Office in the Government the constituency would have to defray the cost of his re-election. He might multiply objections against the Bill; but on the present occasion he would content himself with expressing his belief that the House would act wisely in not assenting to the second reading.

Mr. MUNTZ said, the expenses of returning officers were not the only expenses which candidates were required to meet, but still they formed no inconsiderable sum. He would remark that if the expense of providing polling-booths were thrown on the local authorities they would keep them from one election to another at a very trifling cost. Was it reasonable that they should punish a man because he set up as a candidate? Was it wise that they should secure that poor men should be excluded from Parliament? In his own borough (Birmingham) the expenses of the returning officer had amounted to about £2,177 at the last election. How, he would ask, could Chatham or Canning have entered Parliament if these expenses had been so heavy in former times? The ratepayers were willing to bear the burden, and why then should the House not permit them to do so? He hoped the House would agree to the second reading.

Sir HERBERT CROFT asked leave to raise, for the first time, his voice in that House, and he did so in opposition to the Bill, on behalf of the already overburdened yeomen of England, on whom this Bill, if passed, would impose an additional tax. He denied that they wished to be further taxed in respect of hustings expenses. A Herefordshire yeoman said to him the other day that he would see him further before he would pay such expenses. The hon. Member for Brighton (Mr. Fawcett) had not made out his case. Why did not the hon. Gentleman inform the House what kind of men the Bill was intended to benefit? There might be some reason for supposing that the measure was brought forward at the instigation of the leaders of the Reform League. The recent elections showed, however, that several members of that League were debarred from entering Parliament, not by the large amount of the expenses but by the votes of the working men, who had no confidence in such leaders. It was not the election expenses which prevented President Beales, *magister artium*, being returned for the Tower Hamlets, Mr. Bradlaugh for Northampton, and the gallant Colonel Dickson for the borough of Hackney. Then, again, the object of the Bill could hardly be to prevent what were known as hustings oppositions, for these occurred, even although the candidates had to give security for payment of their share of the expenses. He himself and his hon. Colleague one morning in November last proceeded to the Shire Hall in the city of Hereford surrounded by a body of staunch friends. Their better halves were in the gallery, their swords were on the table, and they laboured under the delightful delusion that they were about to be elected without opposition, but, at the last moment, an excellent man of business was proposed against whom it was not his intention to say a single word. The new candidate immediately entered into security for costs—which costs he would have to pay. The returning officer's expenses in Herefordshire amounted to £850, and as there is an election on the average every four years an additional burden of upwards of £200 would be imposed on the already overburdened yeomen. Although the amount was not very large, it was a step in the wrong direction. He was much pleased with the eloquent appeal which the First Minister of the Crown made the other evening for the poor of Ireland, and he only regretted that he (Sir Herbert Croft) could not imitate the eloquence of the right hon. Gentleman, while pleading on behalf of the poor of this country, but with all the energy he possessed, with all his heart, he implored hon. Gentlemen to crush this measure, and if it were pressed to a division to vote against it in such numbers, that even the hon. Member for Brighton, with all his perseverance, would shrink from bringing it a fourth time under the consideration of the House.

Mr. Serjeant SIMON said, he hoped it would not be regarded as very presumptuous if he rose to address the House so soon after the "crushing" speech which they had just heard. He should support the Bill: first, because it was based on a principle which asserted the true relations between a Member and his constituents; and, secondly, because it would widen the area of electoral choice, by affording a greater chance of procuring the services of men who, though not possessed of wealth, were yet endowed with all the necessary qualifications for representing the interests of constituencies. Everything which tended to lighten the burden of elections, not only from the shoulders of the candidates but from the constituents should be advocated in that House. Before the Reform Bills of 1832 and 1867, there were nomination boroughs which afforded an avenue to this House for men of ability and high attainments. Now that the constituencies had been largely augmented and the area of electoral power had been extended he thought the House should enlarge also the area of the choice of representatives by diminishing the expenses of elections, and thus enabling men of moderate means to enter the House. He did not indulge any Utopian idea as to the working-class representation; but he fully agreed with the opinions of the Prime Minister, and of Earl Russell, that it would be a great advantage to that House, and that it would greatly assist their deliberations if they could have a direct representation of the working men, from whom they could hear directly what were the wants, the feelings, and the objects of the class to which they belonged. He agreed with the statement of the hon. Member for Brighton (Mr. Fawcett) that the relation of a Member to his constituency was that of one who undertook to perform a great public service. He ought not, therefore, to be burdened with the expense entailed by the necessary legal process by which he was returned. There were expenses in every election which would always fall heavily upon candidates. It is to be regretted that this should be so. But to call upon candidates to pay for the very machinery, so to speak, which the law imposed and required in order to carry out its own provisions, he confessed was an anomaly and a hardship not to be found under any representative system of government with which he was acquainted. Yet that is what now existed here, and what hon. Members who opposed the present Bill sought to perpetuate. In the olden time, and down to a period more recent than the Restoration, Members of the House of Commons were paid their expenses in coming to, remaining in, and returning to their homes. He did not mean to say that he was prepared to advocate a return to that system, but he referred to it in order to show what was originally the relation of a Member towards his constituents, and that in the conception of the law and the constitution it was one of service rendered to them by the Member, and not of service or advantage bestowed upon him. Hon. Gentlemen opposite who opposed the present measure were perpetuating what was the great source and the parent of corruption by cherishing the idea that the candidate who sought to be returned to that House was seeking a great benefit for himself, instead of conferring a benefit upon the public. The consequence was that he was expected not only to bear all the expenses of his election, but hereafter to engage in what he (Mr. Serjeant Simon) considered the most dangerous, because the most insidious, form of corruption. He was expected to become the systematic subsidizer of the borough he represented by contributing largely towards the support of local institutions and other like objects. He thanked the House for the indulgent hearing which they had given him, and would give his cordial support to the measure.

Mr. FIELDEN said, he was of opinion that, as a Parliamentary election was a matter of national importance, the expenses of it ought, under ordinary circumstances to be borne by the nation. But while he entertained that opinion he was opposed to the Bill before the House, and he should state briefly the grounds on which his objection to it was based. The national taxation was £70,000,000; the local taxation, according to the very able statement of the hon. Baronet the Member for South Devon, was £21,000,000. It was said that the amount which would be added by the operation of this Bill to the local taxation of the country would be very insignificant; but it should not be forgotten that that taxation had reached its present large proportions by means of petty additions, and that it was necessary to watch with a jealous eye any further augmentation of the burden, however small. He had been somewhat amused, he must confess, at the statement which had been made by the hon. Member for Brighton (Mr. Fawcett) and the hon. Member for Leeds (Mr. Baines). They represented that their constituents were most anxious to be taxed for the purposes of this Bill. He knew nothing of Brighton, but he happened to represent the Eastern Division of the West Riding of Yorkshire, in which Leeds was situated. He had not received frequent communications from the freeholders of that borough, but the chief topic of all that he had received was the great pressure upon them of local taxation, with any addition to which they would not, so far as his experience went, be at all satisfied. He, for one, objected to see the expenses named in the Bill taken off the shoulders of candidates, and transferred to those of the already heavily-taxed ratepayer, and it would, he maintained, come with a very bad grace from the New Reformed Parliament if, before the questions of national or local taxation—to the diminution of which, as far as possible, so many hon. Members had pledged themselves on the hustings—had been touched, they were to pass a measure for the relief of their own pockets. Entertaining those views, he felt it to be his duty to oppose the second reading of the Bill.

Mr. ANDERSON, as a representative of the largest constituency in the kingdom, hoped he might be allowed to say a few words on the subject before the House. He contended that the amount of the necessary expenses at elections was much greater as matters at present stood than it would be if the charge had to be borne by the ratepayers. In the borough which he had the honour to represent the claims of the returning officer at the recent election amounted to £1,400, or £350 for each candidate; but if the cost were thrown upon the public the requisite work would have been done for a much smaller sum. But the strongest argument in favour of the Bill was not that which was founded on the diminution of expense. To the great bulk of those whom he addressed the payment of £200 or £300 was, in all probability, a matter of trifling importance; but undoubtedly the necessity for incurring even that expense had a great effect in limiting the field from which constituencies might choose their Members; and if the House were anxious to avoid the charge of desiring to keep Parliamentary honours and political power in the possession of one class—namely, the class of very wealthy men—they must legislate in the direction proposed by the hon. Member for Brighton (Mr. Fawcett). It should be remembered that in limiting the field from which constituencies might choose their Members, the House thereby tended to limit its own intellectual power.

Mr. ASSHETON agreed in thinking that it would be a great misfortune if it should be laid down as an axiom that the longest purse should have the greatest chance of returning a Member to that House. It would, indeed, be a great misfortune if the number of pounds in a man's pocket should be taken as the measure of the amount of brains in his head; and it appeared to him that the question whether the House should say "Aye" or "No" to this Bill lay in a nutshell. Would the Bill, or would it not, increase the expenses of elections? He held that anything which tended to increase the expenses of elections diminished *pro tanto* the proper representation of the people in that House, and the reason why he should vote against the second reading of the Bill was that he thought it would have the effect of increasing those expenses. He would tell the House why. Most of them were aware that the sum paid for the returning officer's expenses was small compared with many other expenses which were incurred. But still the returning officer's expenses were those which made the most show to the outer world, and people thought that if they could get these expenses paid for them by the Legislature their election would cost nothing. If the Bill were to pass, one result of its operation would be to induce candidates to stand who had not the remotest chance of being returned, and thus to give rise to contests where, as matters at present stood, none would occur. Believing that that would be a great evil, and would increase instead of diminishing election expenses, he should vote against the second reading.

Mr. M'MAHON said, that an Act of Parliament had been passed in 1820 with respect to Irish elections, providing that the expenses of returning officers should be borne by the county rate, but that they should be paid, in the first instance, by the sheriff. A second Act provided that those expenses should be very moderate, and the opinion generally prevailed in Ireland, and was often acted upon, that where there was no contest the sheriff could make no charge. It would, he thought, be advisable to introduce into the present Bill a clause embodying that principle, inasmuch as contests in those cases in which there was no chance of success on the one side would thereby be discountenanced.

Lord CLAUD HAMILTON observed that the Act to which the hon. and learned Gentleman (Mr. M'Mahon) referred had not been found to work well and had been repealed. As for the Bill of the hon. Member for Brighton (Mr. Fawcett), he looked upon it as a measure to provide additional candidates at elections at the expense of the ratepayers who had no wish to be subject to increased charge. If the constituents of the hon. Member for Leeds (Mr. Baines) were so desirous of taking upon themselves a fresh burden, with the view of enabling working men to get into Parliament with greater facility, what, he should like to know, was to prevent them from subscribing to effect that object? They had never done so, however, and what the supporters of the Bill really sought to effect was to obtain compulsory powers to tax persons who did not concur in their views. He hoped the House would not be deceived by the spurious pretence that this was a Bill to increase the area of intellectual ability in the House—for he believed under that disguise it was intended to add to the already overburdened rates of the country.

Mr. HIBBERT said, the measure was a matter of indifference to himself personally, for his constituents had always paid his expenses; but he wished his opponent's expenses also to be paid. The chief objection to the Bill was the increase it would cause in the local taxation. Now, he admitted local taxation was already sufficiently heavy, but that was no reason why they should not endeavour to put the election expenses on a proper principle. Whether the expenses were to be placed on the local rates or on the Imperial funds was a matter for the consideration of the Committee when this Bill went before it. The question involved in the measure was, perhaps, very small, so far as the payment of those expenses was concerned; but then it was very great viewed as a matter of principle. He found from the Returns of the General Election of 1865 that out of the total expenditure on the elections for the United Kingdom, which amounted to £752,746, the sum charged for returning officers was only £47,320, and he felt assured that if the charges were levied as proposed by his hon. Friend the Member for Brighton, it would be found that they would decrease very considerably. The fact that the expenses of registration were paid out of the rates was, he contended, another argument in favour of the Bill, for there could be no good reason for stopping short at that point and throwing the expenses of the election itself on the candidates.

Colonel GILPIN said, he did not wish to parade his own personal expenses before the House, nor had he, like the hon. Member who had just spoken (Mr. Hibbert), any particular desire to save the pockets of his opponents, but he was anxious to have justice done to his constituents, who had no inclination whatever, either upon this or upon any other occasion, for an increase of the county rates. It had been argued by some Gentlemen opposite that the passing of this Bill would facilitate the entrance of working men to this House. He (Colonel Gilpin) did not think that members of the working classes would have a bit the better chance of obtaining seats in Parliament if the Bill were to pass than they had at present, while the expenses of elections would in all probability be increased rather than diminished by its operation. With regard to the remarks of the hon. Member for Birmingham (Mr. Muntz), he could only say that on more than one occasion he had heard the senior Member for that town boast that his elections for Birmingham had never cost him a farthing, and he had reason to be proud of it. When the hon. Member was as well known and appreciated as his Colleague, no doubt the same thing would happen to him. But what would occur in the interim? Why, the enormous expenses of the returning officer would be thrown upon the ratepayers, many of whom found it difficult to pay the sum already demanded. He (Colonel Gilpin) had not experienced the luxury of a borough election, but he had stood three contested county elections, and the sole expenses of the returning officers had not in all the three elections, he believed, amounted to the enormous cost at one Birmingham election of £2,700.

Mr. WALTER said, that having had a large experience in election contests he hoped the House would allow him to state that he did not think the passing of the Bill would have the effect either of enabling a greater number of working men to obtain seats in Parliament, or of breaking the back of that much-enduring animal the ratepayer by the small addition which it would make to the amount of his taxation. He was, however, of opinion that it was important to lay down a rule by which a clear distinction should be drawn between those charges which the law imposed upon candidates and the enormous expenses which they chose to impose upon themselves. From what he had heard on the subject from many of his constituents after a long and arduous contest—and his experience in the matter would, he felt convinced, be borne out by that of hon. Gentlemen round him—there existed a very general feeling on the part of large sections of electors of what he might term shame because of the large outlay which men who came forward to discharge to some extent a public duty were obliged to incur. The actual charges which came under the head of the expenses of the returning officer formed but an insignificant item in the long bill which the candidate was called upon to pay. But, comparatively small as those charges were, they would, he believed, be materially reduced if they had to be borne by the ratepayers. As things now stood many charges which were not strictly legal were mixed up with others which were considered to be legal and fell upon the shoulders of the candidate. The cost of erecting a hustings was not, he believed he was correct in saying, a strictly legal charge, and he, for one, should like to see the farce of nominations, with the erection of hustings, altogether done away with. If, however, these things must continue to be the inevitable accompaniments of a General Election, together with the expenses of employing polling clerks, and of furnishing copies of returns, multiplied to an indefinite extent, the cost should, in his opinion, be borne by the ratepayers, who would of course take very good care that it was cut down. Entertaining those views, he could not refuse to support the second reading of the Bill, but he should be better pleased to see it referred to the Committee which was so soon about to commence its labours. This was only one of a series of questions which would be better considered by the Committee than by this House. Among other modes of diminishing the expenses of elections, he believed that an increased number of polling-places in counties would have a very material effect. It would then be possible to do what could not be done at present — put an end to the enormous expense of carrying voters to the poll. You could not accomplish this object until greater facilities were given for voting than now existed; but, in the meantime, believing that, as a mere question of justice and of right, the principle laid down in the Bill was a sound one, he should be prepared to support the second reading.

Mr. **FLOYER** wished, before the House came to a division, that they should understand what were the points on which they were about to vote. The hon. Member for Oldham (Mr. Hibbert) had suggested that this burden might be thrown upon the general taxation of the country; but he believed he was correct in stating that no such alteration could be introduced into a Bill of this character in Committee, and therefore hon. Members would vote on a false issue if they supported the second reading under this belief. Then it was argued that if the expense were thrown upon the ratepayers, they would reduce the expense. But he did not find in the Bill any provision for the ratepayers having any control over the expenses—all they had to do with them was to pay them. The necessary expenses of the Bill would not be in the least degree under the control of the ratepayers. If that were so it was a totally wrong induction from the premise of the hon. Member for Brighton, when he said his Bill would reduce the expenses of elections. But granting that it were so, might not the principle be carried further than that House would wish? We had heard of appeals to eminent men who had been asked to decide whether this or that candidate should stand for a certain constituency; and recently, in one of our largest boroughs, that question was settled in some secret mode by the electors. No doubt, election expenses might be got rid of in this way, but for his part he abhorred all such occult and unconstitutional practices. Elections ought to be conducted by the constituencies, before whom candidates should come openly, and anything in the nature of hole-and-corner proceedings should be discouraged. He feared that this Bill rather pointed in the direction of practices, the tendency of which was to keep down expenses in an unconstitutional way, and for this and other reasons he moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Floyer.*)

Viscount **BURY** said, he should oppose the second reading, because he looked upon it as merely nibbling and meddling with a small part of a great question, and because he thought that a private Member should not attempt to deal with a question which within a very short time was to be dealt with by the Government. The Bill was incomplete, for unless you prohibited other than the mere hustings expenses you would be no nearer the object of allowing working men to become Members of Parliament. The measure would tax all municipalities on the contingency that some one or two of them might wish to return such Members. He would like that constituencies should have a free choice in this matter; but the Bill would not secure this result. No one could have observed the enormous expenses which the Election Judges in their recent inquiries had pronounced to be legal, without seeing that this Bill merely touched the skirts of a great question, and that we really had to deal with the larger question so ably referred to by the hon. Member (Mr. Walter). He would rather leave the Government to deal with the matter; and, representing a constituency where the municipal rates were very heavy already, he did not wish that one of the first votes of this House should be to impose fresh rates upon them and other constituencies. If constituencies wished to return working men, the way was open to them; they could do so by defraying the expenses of such candidates. For these reasons he should vote against the second reading.

Mr. **WATKIN WILLIAMS**, being also about to vote against the Bill, wished to give his reasons for doing so. He entirely approved of the principle of the Bill, and thought it was extremely desirable to diminish election expenses; but the expenses dealt with by this Bill formed only about 7 or 8 per cent of the total expenses of candidates, and it was trifling with the subject to throw a burden like this upon taxpayers, who were taxed to the utmost already, without any adequate advantage or result to anybody. There were plenty of means by which the cost of elections might be reduced before throwing this fresh burden upon the local taxes. He could not agree with the observations of his hon. and learned Friend the Member for Dewsbury (Serjeant Simon), for he felt that the honour, the pleasure, and the satisfaction of being in this House were well worth the legitimate expenses of the election.

Mr. AYRTON said, that the statement of the hon. Member for Brighton (Mr. Fawcett) that he would persevere with his Motion, whatever might be urged against it, had raised a spirit of contention which might otherwise have been avoided. It became extremely difficult to conduct Business in this House when an hon. Member began by declaring that he would take a course of his own, and would not listen to any appeal that might be made to him. The hon. Member for Sussex (Colonel Barttelot) had taken advantage of this to insist upon a final decision against the Bill, and to express a hope that the Government would be firm—and no doubt they would be so; but what was firmness upon this question? At the beginning of the Session it was stated that the Government would recommend that an inquiry should be prosecuted into the present mode of conducting Parliamentary and Municipal Elections, with a view to consider the possibility of providing any further guarantees for the tranquillity, the purity, and the freedom of such elections; and the House returned an Address to the Speech from the Throne, stating that it would probably proceed with that inquiry. Accordingly notice had been given that to-morrow a Motion would be made by his right hon. Friend (Mr. Bruce) for the appointment of a Committee. His hon. Friend opposite (Colonel Barttelot), in his view of firmness, proposed that, pending the Notice for a Committee, the Government should at this moment pronounce a decided opinion, Aye or No, upon the three or four propositions in this Bill which must inevitably become part of the inquiry carried on by the Committee. Surely such a course on the part of the Government would be very inconsistent. At all events, he declined to adopt the suggestion of the hon. Member. Many other proposals had been brought under the notice of the House, all tending to show that this Bill was only part of a large subject. When, however, the Government had announced that, in their opinion, there ought to be inquiry with a view to a change in the law, it was not usual to draw the House into a discussion of the subjects embraced in that inquiry, nor was it usual meanwhile to prevent hon. Members from submitting their proposals to the House. On the contrary, the ordinary course was to let every hon. Member lay his proposal before the House in such a shape that it might be referred to the Committee upstairs, who would consider whether it should or should not form part of any general measure. He thought, therefore, that the House might with great propriety allow the Bill to proceed through a stage to-day, and that this would be quite consistent with the course which the Government had advised the House to take. He had no intention to go further, because hon. Members would see that, if the Committee should think it desirable, for example, that the votes should be taken in an entirely new manner, then the expense to be incurred by it was a subject which must of necessity be considered, and an entirely new set of arrangements would have to be made. Again, it had been pointed out that the very foundation of this subject was what ought to be the expenses of the returning officers. On this point the English law was most defective, while in Ireland a most excellent law was in existence. The charges of election officers would, therefore, probably have to be regulated. At present, every hon. Member knew that he was a victim. The returning officer had said to him, "You must send me a check for the modest sum of £230," and if you inquired for particulars, the returning officer probably did not condescend to give any. All these points must be inquired into; and, having sat upon a Committee on this very subject, he knew it was full of practical difficulties which could not be slurred over. In this country the elections were in the hands of the people as the guardians of their own rights and freedom, and not, as in France, in the hands of officials; and, therefore, there was no ground for comparison between our elections and those elsewhere in Europe; but if they wanted a standard of comparison they should look to the other side of the Atlantic where the elections were also in the hands of the people. Gentlemen who complained of the cost of elections might console themselves by the reflection that if they had been candidates in the United States they would have had to spend a great deal more. The people in the United States, however, showed their spirit by voluntarily contributing largely towards the election expenses, but there was no law to prevent them from doing the same in this country. That being so, and there being no law to prevent any candidate from saying that he would incur no liability at all in respect of the election, it would not be right to exaggerate the importance of this Bill, nor was it right to support the Bill on the ground that it would promote what was called the direct representation of the working classes. If any hon. Member entertained a deep-seated conviction that the working classes ought to be represented there by members of their own body, he might effect his object by resigning in favour of a working man. But he (Mr. Ayrton) had never encouraged this sentimental feeling, because he knew the difficulties in the way of such a class representation, and believed that he could represent working men quite as well as a member of their own body. Entertaining this feeling, he had no intention of resigning his own seat, but he hoped the House would be consistent, and that the hon. Member opposite would not, in the face of the impending Committee, ask the House precipitately to come to a final conclusion upon the questions contained in this Bill. For his part he thought that the Bill should be read a second time, in order that it might hereafter be properly considered.

MR. GATHORNE HARDY said, it was desirable, before the House came to a decision, to know the position in which it stood. His hon. Friend (Mr. Ayrton)—with a rhetoric which would remind the House rather of his position below the Gangway than of his present position on the Treasury Bench—had controverted the opinions of the hon. Member for Sussex (Colonel Barttelot). He asked the House to read the Bill a second time in order that it might hereafter be referred to a Committee. Such a course as this was wholly without precedent. If the House now passed the second reading it would affirm the principle of the Bill, and yet his hon. Friend evidently thought the Bill unsatisfactory and imperfect. In his opinion a Bill read a second time could not, with propriety, be referred to a Committee appointed to consider a general subject, though it might be referred to a Committee appointed specially to consider its provisions. However, as he was most desirous that the Committee should inquire into the very root of the whole matter, he should advise his hon. Friend (Mr. Floyer) to withdraw his Amendment for the second reading that day six months, and to move simply to postpone the Bill for such a period as would enable the hon. Gentleman (Mr. Fawcett) to bring the Bill again before the House if the Select Committee sanctioned the principle. In that case the Bill would not be negatived but affirmed, and meanwhile no opinion would be pronounced upon it, pending the consideration of the measure by the Committee.

MR. FAWCETT, in reply, said, he felt some trepidation in consequence of the censure of the noble Lord (Viscount Bury) who accused him of presumption in "nibbling" at a great question. He was consoled, however, by remembering that the noble Lord had nibbled at a great constitutional question, and that his "nibbling" could not be half so unsuccessful as that of the noble Lord. The hon. Member (Mr. Ayrton) had said that he pursued an unusual course in declaring that he would persevere with the measure. Now, he denied that it was an unusual course. The Bill was not a new one, and the present occupants of the Treasury Bench had expressed in the clearest terms their opinion respecting it. The hon. Gentleman had just made exactly the same kind of speech as had been made on a former occasion by the right hon. Gentleman (Mr. Disraeli). When he (Mr. Fawcett) had tried to introduce a clause on this subject into the Act passed by the right hon. Gentleman, he was asked to withdraw it, because it opened a large subject, because the law was uncertain, and it was a matter for further inquiry. He thought it his duty not to listen to that appeal, and who supported him? Why, the present Prime Minister and his Colleagues. They said it was a plain and simple question, one involving a great principle, and with their support he was twice successful. On that occasion he had persevered to the last, and on this occasion he would likewise persevere through every stage of the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 165; Noes 168: Majority 3.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

AYES.

Akroyd, E.
Amcotts, Col. W. C.
Anderson, G.
Anstruther, Sir R.
Antrobus, E.
Armitstead, G.
Ayrton, A. S.
Aytoun, R. S.
Baker, R. B. W.
Bass, M. A.
Baxter, W. E.
Bazley, T.
Beaumont, F.
Beaumont, S. A.
Beaumont, W. B.
Blake, J. A.
Bowring, E. A.
Brady, J.
Brewer, Dr.
Bright, J. (Manchester)
Brinckman, Capt.
Briscoe, J. I.
Brown, A. H.
Buller, Sir A. W.
Buxton, C.
Callan, P.
Campbell, H.
Candlish, J.
Carnegie, hon. C.
Carter, Mr. Ald.
Cartwright, W. C.
Cavendish, Lord F. C.
Chadwick, D.
Cholmeley, Capt.
Clay, J.
Clifton, Sir R. J.
Clive, G.
Cowen, J.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Dalrymple, D.
Dickinson, S. S.
Dilke, C. W.
Dixon, G.
Dodds, J.
Downing, M'C.
Duff, M. E. G.
Duff, R. W.
Edwardes, Colonel
Egerton, Capt. hon. F.
Enfield, Viscount
Ewing, H. E. C.
Eykyn, R.
Fawcett, H.
Finnie, W.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Fletcher, I.
Fordyce, W. D.
Forster, rt. hon. W. E.
Fortescue, hon. D. F.
Fothergill, R.
Gilpin, C.
Glyn, G. G.
Goldsmid, Sir F. H.
Gourley, E. T.
Graham, W.
Gray, Sir J.
Grieve, J. J.
Grosvenor, Capt. R. W.
Grove, T. F.
Hadfield, G.
Hamilton, J. G. C.
Headlam, rt. hon. T. E.
Henley, Lord
Hibbert, J. T.
Hodgkinson, G.
Holms, J.
Hope, A. J. B. B.
Howard, hon. C. W. G.
Howard, J.
Hughes, T.
Illingworth, A.
Jardine, R.
Johnston, A.
Kinnaird, hon. A. F.
Lambert, N. G.
Lea, T.
Leatham, E. A.
Lewis, J. D.
Loch, G.
Locke, J.
Lush, Dr.
Lyttelton, hon. C. G.
M'Combie, W.
Macfie, R. A.
Mackintosh, E. W.
M'Mahon, P.
Maitland, Sir A. C. R. G.
Melly, G.
Merry, J.
Miller, J.
Monk, C. J.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Norwood, C. M.
O'Conor, D. M.
Ogilvy, Sir J.
Palmer, J. H.
Parker, C. S.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Pim, J.
Platt, J.
Plimsoll, S.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Price, W. E.
Rathbone, W.
Rebow, J. G.
Reed, C.
Richard, H.
Richards, E. M.
Roden, W. S.
Russell, A. J. E.
Rylands, P.
St. Aubyn, J.
Samuelson, H. B.
Sartoris, E. J.
Seely, C.
Shaw, R.
Shaw, W.
Simeon, Sir J.
Simon, Mr. Serjeant
Smith, J. B.
Smith, T. E.
Stapleton, J.
Stevenson, J. C.
Stone, W. H.
Strutt, hon. H.
Stuart, Colonel C.
Sykes, Colonel W. H.
Taylor, P. A.
Tollemache, hon. F. J.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. H.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Walter, J.
Wedderburn, Sir D.
Wells, W.
Westhead, J. P. B.
White, J.
Whitwell, J.
Williamson, Sir H.
Wingfield, Sir C.
Winterbotham, H. S. P.
Young, A. W.

TELLERS.

Baines, E.
M'Laren, D.

NOES.

Adderley, rt. hn. C. B.
Allen, Major
Amphlett, R. P.
Annesley, hon. Col. H.
Arkwright, A. P.
Assheton, R.
Ball, J. T.
Barclay, A. C.
Barnett, H.
Barrow, W. H.
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Bentinck, G. C.
Bingham, Lord
Bourke, Hon. R.
Brand, H. R.
Brassey, H. A.
Brise, Colonel R.
Broadley, W. H. H.
Bruce, Sir H. H.
Bruen, H.
Bury, Viscount
Cameron, D.
Cartwright, F.
Cave, right hon. S.
Clive, Colonel H. G. W.
Clowes, S. W.
Cole, Hon. H. A.
Courtenay, Viscount
Crichton, Viscount
Croft, Sir H. G. D.
Cross, R. A.
Dalrymple, C.
Damer, Captain D.
Davenport, W. B.
Dawson, R. P.
Dickson, Major A. G.
Duncombe, hon. Col.
Dyke, W. H.
Dyott, Colonel R.
Edwards, H.
Egerton, hon. A. F.
Egerton, E. C.
Elcho, Lord
Elliot, G.
Ennis, J. J.
Ewing, A. O.
Feilden, J.
Fielden, J.
Figgins, J.
Forester, rt. hon. Gen.
French, rt. hon. Col.
Garlies, Lord
Goldney, G.
Gore, J. R. O.
Gower, hon. E. F. L.
Grant, Colonel Hon. J.
Graves, S. R.
Greaves, E.
Greene, E.
Guest, A. E.
Gwyn, H.
Hambro, C. T.
Hamilton, Lord C.
Hamilton, I. T.
Hardy, right hon. G.
Hardy, J.
Hardy, J. S.
Haviland-Burke, E.
Hay, Sir J. C. D.
Henley, rt. hon. J. W.
Henniker-Major, Hon. J. M.
Henry, J. S.
Herbert, H. A.
Hermon, E.
Hervey, Lord A. H. C.
Heygate, Sir F. W.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hoare, P. M.
Hood, Captain hon. A. W. A. N.
Howes, E.
Hughes, W. B.
Hunt, right hn. G. W.
Hutton, J.
Jones, J.

Kavanagh, A. M.
Kekewich, S. T.
Kennard, Captain
Knight, F. W.
Lacon, Sir E. H. K.
Laird, J.
Langton, W. H. P. G.
Legh, W. J.
Lennox, Lord G. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lopes, Sir M.
Lowther, J.
Lowther, W.
Manners, Lord G. J.
Manners, rt. hon. Ld. J.
Matheson, A.
Maxwell, W. H.
Meller, Colonel
Mellor, T. W.
Meyrick, T.
Milbank, F. A.
Milles, hon. G. W.
Mills, C. H.
Mitchell, T. A.
Mitford, W. T.
Montgomery, Sir G. G.
Morgan, C. O.
Morgan, Hon. Major
Mowbray, Rt. Hn. J. R.
Neville-Grenville, R.
Newport, Viscount
Noel, Hon. G. J.
Northcote, right hon. Sir S. H.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Major W.
Parry, L. J.
Patten, rt. hn. Col. W.
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Pochin, H. D.
Powell, W.
Read, C. S.
Round, J.
Sandon, Viscount
Sclater-Booth, G.
Scott, Lord H. J. M. D.
Scourfield, J. H.
Selwin-Ibbetson, H. J.
Seymour, G. H.
Sidebottom, J.
Smith, A.
Smith, F. C.
Stanley, hon. W. O.
Sturt, H. G.
Sykes, C.
Talbot, C. R. M.
Talbot, J. G.
Tipping, W.
Trevor, Lord A. E. H.
Turner, C.
Walpole, hon. F.
Walsh, hon. A.
Welby, W. E.
Wethered, T. O.
Wheelhouse, W. S. J.
Whitmore, H.
Williams W.
Willyams, E. W. D.
Wilmot, H.
Wise, H. C.
Wyndham, hon. P.
Wynn, C. W. W.

TELLERS.
Barttelot, Colonel
Floyer, J.

LIFE INSURANCE COMPANIES BILL.

LEAVE. FIRST READING.

Mr. STEPHEN CAVE, in moving for leave to bring in a Bill to amend the Law relating to Life Insurance Companies, said, he proposed to extend to Life Insurance Companies the provisions enacted by Parliament last year with respect to Railway Companies and the fuller publication of their accounts.

Mr. KINNAIRD thanked the right hon. Gentleman for the course he had taken, believing that no Bill that could be introduced this Session would confer greater benefit upon a class which the House was bound in every way to protect.

Mr. H. B. SHERIDAN observed that any well-considered measure on the subject would be supported by the Life Insurance Companies themselves.

Mr. BARNETT expressed his regret that the provisions of the Joint Stock Companies Act of 1844 had not been made more use of in similar cases.

Motion *agreed to.*

Bill to amend the Law relating to Life Insurance Companies, *ordered* to be brought in by Mr. Stephen Cave, Mr. Bazley, and Mr. Russell Gurney.

Bill *presented,* and read the first time. [Bill 35.]

GAME LAWS (SCOTLAND) (No. 2) BILL.

LEAVE. FIRST READING.

Lord ELCHO, in moving for leave to bring in a Bill to amend the Game Laws in Scotland, said, the Bill he proposed to introduce was one which was brought in during the last Parliament, and referred to a Select Committee upstairs. The Bill came down from that Select Committee in an amended form in the Session of 1867. There were two Bills before the Committee, one of them being the Bill of his hon. Friend the Member for Linlithgowshire (Mr. M'Lagan), and the other that which had been introduced by himself, and which was accepted as the basis of the Bill framed by the Committee. He had now to ask leave to re-introduce and re-print that Bill. The hon. Member for Linlithgowshire had already obtained leave to bring in a Bill, which, he believed, was practically identical with the one he brought in in 1867. He (Lord Elcho) proposed in his Bill to print an Amendment, which would have the effect of bringing the Bill to a certain extent back to the position in which it stood when it went before the Committee, so that the House would be in a position to legislate upon the subject with a full knowledge of what was done by the preceding Parliament in the Session of 1867.

Mr. KINNAIRD said, although he believed it was perfectly true that the Bill, for the introduction of which the noble Lord the Member for Haddingtonshire had moved, was the result of an inquiry which took place before a Select Committee, he thought it was hardly fair to describe it as the Bill of that Committee, seeing that the provisions it contained were only carried in that Committee by a small majority. He did not rise to oppose the introduction of the Bill; but he thought it only fair that he should state that the Bill did not represent the views of the whole of the Committee any more than it could be said to have represented the feeling of all who had an interest in the question with which it dealt.

Lord ELCHO said, he trusted to the courtesy of the House to be allowed to say a word in explanation of what had fallen from the hon. Member opposite. All that he meant to imply was that it was a measure which had been examined by a Select Committee, and that it was generally concurred in and introduced as the result of the labours of that Committee. No doubt it was quite true that divisions did occur in the Committee; but still the result of those divisions led to the introduction of the Bill. With respect to any difference of opinion, all he could say was that if the measure did not represent the views of his hon. Friend, at all events it represented the views of the majority of the Committee; and he was, therefore, justified in the statement that it was the Bill of the Select Committee, and in that form he asked for leave to introduce it.

Motion *agreed to.*

Bill to amend the Game Laws in Scotland, *ordered* to be brought in by Lord Elcho and Sir Graham Montgomery.

Bill *presented*, and read the first time. [Bill 36.]

GENERAL VALUATION, &c. (IRELAND).

Select Committee *appointed*, "to inquire into the constitution and management of the department of the general Valuation of Ireland, the cost of the Townland and Tenement Valuation, and all matters connected with the annual revision thereof."—(*Colonel French.*)

LANDS CLAUSES CONSOLIDATION ACT AMENDMENT BILL.

On Motion of Mr. Bazley, Bill to amend the Lands Clauses Consolidation Act, so far as relates to the settlement of the Costs of Arbitrations, *ordered* to be brought in by Mr. Bazley, Mr. Jacob Bright, Mr. Graves, Mr. Baines, Mr. Dixon, and Mr. Hibbert.

Bill *presented*, and read the first time. [Bill 34.]

House adjourned at half after Five o'clock.

HOUSE OF LORDS,

Thursday, 4th March, 1869.

MINUTES.]—Public Bills—*Second Reading*—Parliamentary Proceedings (7).
Committee—Report—Brazilian Slave Trade (14).

PARLIAMENTARY PROCEEDINGS BILL.

(*The Marquess of Salisbury.*)

(No. 7.) SECOND READING.

Order of the Day for the Second Reading, read.

The Marquess of SALISBURY, in moving that the Bill be now read the second time, said:—My Lords, the object of this Bill is to remedy some of the evils to which I ventured casually to draw the attention of your Lordships some nights ago. The evils in question are patent and well-known, and neither proof nor description of them will be required by any of your Lordships who have had experience of a late period of the Session in this House. It is notorious that a large part of the business which occupies this House has been brought forward at a late period of the Session, when not only Members of the House, but all who have any work in it, are quite exhausted, when the temperature is wholly unfavourable to any exertion, when a great number of Members of both Houses have left town, and when obviously nothing but the most perfunctory consideration can be given to any subjects submitted to your attention. Now, I do not, as has sometimes been represented, complain of it as though it were an injury inflicted on us by the House of Commons. It is not, indeed, a question of where Bills originate. It may be very right that a large number of Bills should originate in the other House, and we know that a certain class of them must, according to the usage of Parliament, originate there. Moreover, in the case of any Bill brought forward by a Department, the head of which sits in the House of Commons, it is only natural that he should wish to introduce them himself, and to make his own speech in explanation of his own measure, instead of handing over his work to some one else. The amount of business originating here will always, therefore, depend on the precise Offices which are held by the Ministers sitting in this House, and this, I apprehend, is a state of things which no legislation can alter. I do not then complain of the House of Commons: what I complain of is that we are not taking steps to remedy an evil which arises out of the very nature of things. We have five months in which to pass a large amount of legislation through the two Houses of Parliament, and those five months are utterly insufficient for the purpose as matters are now managed. It is true that for many centuries the time proved sufficient; but you have twice altered the constitution of the House of Commons, and on both occasions you have largely increased the power of the House, thus drawing within its view a large number of subjects which previously were left to be dealt with by the Executive Government; while you have increased the number of those who are anxious to establish their right to the position which they hold by showing their constituents that they take an active and intelligent part in the conduct of Public Business. The result is that the number of subjects brought before the House of Commons has been constantly increasing, and the desire to speak on those subjects has been increasing at the same time; while the time allotted for disposing of the business of the country has remained unaltered. Some people say it is the pheasants; but I should rather say, less cynically, it is the love of the gentlemen of this country for the festivities and amusements belonging to Christmas which forbids the meeting of Parliament for any real business at an earlier period than February. The conditions of temperature forbid our sitting later than the beginning of August, or, for any useful purpose, than the end of July, and the result is that the time at the disposal of Parliament remains exactly where it was, while the business, from the causes to which I have adverted, has increased in a geometrical ratio, and will increase still further. Under these circumstances I invite your Lordships to consider whether there is any reason in the Constitution or in common sense for allowing this shortness of time to make absolutely futile three-fourths or seven-eighths of the labours of Parliament during any ordinary Session. Owing to a rule of the Constitution—the origin of which nobody can discover, and of which it is impossible to say more than that we find it here—if when August comes your labours have not advanced beyond a certain point, those labours must be abandoned as far as legislation is concerned. All that you have done goes for nothing. If a Bill has been considered in great detail by a Select Committee, the Committee must sit and go through the details again; if it had to face a powerful opposition, all that opposition must be faced again. All the works, all the debates, all the enormous labour which attends the passing of any change, however small, in the laws which govern us must be gone through again, in order to reach the goal which you had nearly reached when the Prorogation arrived. Now is there in the nature of things any reason for this practice? Does it commend itself to any man's common sense? Do we act in this manner in any other department of life? Supposing you made it a rule to give up writing letters at a certain hour, would you throw all unfinished ones into the fire, or begin next morning at the point where you left off? Is there any body of men, in any kind of business, that adopt what I must call this senseless practice, that whatever you have not finished by a certain time you must begin again next year? I have never heard any reason for such a rule. There is nothing but the bare inert weight of unmeaning custom to justify a principle which wastes so much of the labour and utility of Parliament. By the present Bill, then, I ask your Lordships to take a step to remedy this obstruction—I ask you to recognize the physical fact that there is not sufficient time within five months for the completion of the business which the two Houses have to perform, and to allow either House, under proper precautions, to begin next year at the point where it left off the year before. It has been said that the Prerogative of the Crown would be injuriously affected if the Crown could not terminate all Bills before Parliament by a Prorogation. Against that objection I have guarded by a clause which makes the Assent of the Crown necessary to the resumption of proceedings on a Bill at the point which it had reached at the close of the preceding Session. It has also been said that either House might feel jealous of the exercise of the power thus given by the other House. I have guarded against that by making the ultimate consent of the other House necessary after such proceedings have been resumed and brought to a conclusion. The Bill, therefore, not only guards against any infringement of any part of the Constitution, but against any possible jealousy that the power it gives might excite as between the two Houses. I hold, indeed, that it is a Bill for the relief not of one House, but of both Houses. I have often seen Bills in the House of Commons which had been sent down by your Lordships discussed at the end of the Session by a mere tail, including, if I may be allowed to use the term, the Members of Her Majesty's Government. I remember hearing the present Prime Minister say—he was then in Opposition—that at the end of the Session the Government were able to pass anything, and that is strictly the fact; for the House of Commons, like the House of Lords, is then so exhausted and thin that the Government of the day can force through any measure, being by the attendance of its Members practically master of the decisions of the House. It would surely be a great relief to the House of Commons if, when early in August some Bill came down to them, they could suspend proceedings to the following year, and if in those early days of the Session, when the Members of the House of Commons like your Lordships have little to do, they could resume those proceedings. The truth is that even of the time we have before us we make the most wretched and uneconomical use. Even the House of Commons is open to this reproach—that they crowd all their business into May, June, and July; February, March, and to some extent, April also, not being thoroughly employed. Again and again have I seen night after night wasted in February because business was not ready; whereas they might have been devoted to Bills put aside in the previous Session for want of time. I venture, then, to urge this Bill earnestly on your Lordships' attention, because I hold it to be a remedy for the evil, and because I think it of the first importance that the evil should be remedied, and that this House should be brought into a state of thorough efficiency, without any step being taken that can excite jealousy or ill-will between the two Houses. It appears to me, moreover, that it will tend to remove one great reproach which is cast upon our system of Government. Of late years people have doubted whether Parliamentary Government, as at present conducted, is adequate in its vigour and rapidity to the constantly occurring exigencies of such a nation as this, and there is no doubt that the power of delay, or rather the involuntary pressure which drives all parties towards delay, has been excessive of recent years. There is subject after subject calling for the consideration of the Legislature; laws known by every party to require investigation and alteration, which the mere *vis inertiæ* of Parliament prevents us from undertaking. I do not say that for Bills of the first magnitude—Bills like the Reform Act of 1867, or like that which is now pending in another House—such a power as I propose to give by this Bill is needed, or would be rigidly exercised, for Bills as to which great public excitement exists would probably always be disposed of in a single Session. Nor do I say that for a considerable number of very small Bills, which under any other system of Government would be disposed of by Orders in Council and are matters fairly within the discretion of the several Departments, this power is necessary. There are however a vast number of intermediate Bills—legislation of the second order as I may call it—of which I may take the Bankruptcy Bill as a fair type, which are stopped year after year, and the delays in which are a perfect disgrace and scandal to Parliament. Those Bills do not in general excite any great party opposition, but they are thrust aside and crushed in the hot conflict of parties, and thus fail to come to fruit in legislation precisely for want of some such power as this Bill proposes. I earnestly hope, therefore, that your Lordships will accept it, and will help me in carrying it, so that we may make this much needed reform in the practice of our proceedings.

Moved, "That the Bill be now read 2^{a}."—(*The Marquess of Salisbury.*)

EARL GRANVILLE: My Lords, before entering upon the subject of the Bill proposed by the noble Marquess, who has already earned the gratitude of the House for the earnestness with which he applies himself to everything that can improve the order and value of our proceedings, I may, perhaps, be allowed to say one or two words to show that I am not totally unworthy to speak on the subject itself. Your Lordships will remember that, during the somewhat irregular conversation a few nights ago to which the noble Marquess has alluded, he himself, and other noble Lords opposite were good enough to express in courteous terms their confidence in my endeavours to further the wishes of the House in this respect. My noble Friend on the cross-Benches (Earl Grey) —impatient, probably, of such unmerited compliments—jumped up and denounced me to the House as the individual principally responsible for the mischief and delay which exist. I do not know whether any of your Lordships ever saw an old play in which one actor says to another, "Let me treat you as a friend —come and join the family dinner." The other actor, alarmed, says, "Nay, don't treat me as a friend, for I like good living." Now, I always have a little of that feeling when I get into a political difference with one of my own personal friends. But at the same time I admit I would rather be attacked every day by my noble Friend than lose a jot of that friendship which I value so much. My noble Friend could not, of course, have meant that I was the original cause of a grievance which, as we know, has been complained of for more than sixty-five years; and, indeed, I find, from an analysis made by the noble Earl opposite (the Earl of Derby) that the evil existed to such an extent that the year before I entered this House 132 Bills were passed, of which only twenty-three originated here, 109 in the House of Commons, and, of the 132 Bills, no less than sixty-three, or one-half of the whole number, were submitted to your Lordships in the last six weeks of the Session. But what I understand my noble Friend complained of was this, of my having moved, as the organ of the Government, the suspension of a Standing Order, proposed by the noble Lord the Chairman of Committees, which prevented the second reading of Bills after a certain period of the Session. Now, all I can say in my justification is that every year when that Motion was renewed, I used almost the same words as Lord Aberdeen had made use of on a previous occasion, when he protested against the supposition that any Government could possibly consent to a perfectly strict interpretation of such a Resolution. I do not deny that, if we adopt Resolutions, we ought to adhere to them, and that we should therefore be very careful what we adopt; but I cannot think that if a different course had been taken on the occasion in question, it would really have been to the advantage of the House. My noble Friend (Earl Grey) referred to a Bill which he thought at the time, and still thinks, was bad. Now, I will not enter into its merits or demerits, but it was one which it is quite clear he was anxious to destroy by any weapon that came to his hand. Rightly or wrongly, that Bill was desired by a very large portion of the mercantile community, and I am afraid that it would have been thought by the public that there was something like a "strike" on our part if we had refused to apply our minds to legislation at that particular moment, when, whatever you do, a great press of legislation is sure to occur. This would apply to the noble Marquess's warning that if any Government brought up measures at too late a period he should make use of every form of the House to obstruct them. That form of proceeding has been had recourse to before now, very often with success, but never with success in the long run. The House would, at last, revolt against it, and public opinion would be almost sure to think of us, as an eminent divine once said of some people, that "they appeared to take as much pains to be damned as would have worked out the salvation of their souls." If for several evenings we were to devote our attention to obstructing a Bill, people would think that time might as well have been employed in amending either the substance or the form of it. I am glad to find that the noble Marquess (the Marquess of Salisbury) has turned his attention to a different mode of dealing with the question. No Bill could have less of a party character than this. A similar Bill was introduced by the noble Earl opposite (the Earl of Derby) some twenty years ago. It was opposed by Lord Brougham, Lord Campbell, and the noble Chairman of Committees (Lord Redesdale); but it was strongly supported by Lord Lansdowne, and was sent down to the House of Commons, where it was supported by Earl Russell. There happened to be a Committee sitting at the time on the despatch of Public Business, composed of my noble Friend then Lord

John Russell, Sir Robert Peel, Sir James Graham, Mr. Disraeli, Mr. Cobden, Mr. Hume, and other gentlemen representing different shades of opinion. They examined three witnesses, one of them being the noble Lord who at that time was Speaker of the House of Commons (Viscount Eversley), and also—although I am almost afraid of mentioning it before the noble Marquess—the "intelligent foreigner;" and, after going through that process, without giving any reason, and apparently without any division, they agreed not to recommend the Bill to the adoption of the House of Commons. The noble Marquess has stated very clearly the reasons which tell in favour of this proposal, and, if he adopts the course which I shall venture to suggest, it will be unnecessary for me to state what appear to me to be some objections to it. It is quite clear that the objections which actuated that Committee are likely to have the same weight now with the House of Commons if we send the measure down to be considered by them in a similar manner, and I would recommend the House to give a second reading to the Bill, after which Her Majesty's Government should pledge themselves to appoint a Joint Committee of both Houses with regard to the distribution of business between them. I need not trouble your Lordships with the precedents for appointing a Joint Committee, as a few years ago that course was taken with regard to schemes for railway communication in the metropolis, the precedents I then stated being considered conclusive. We had a preliminary meeting; whether it had the effect of smoothing matters I do not know, but the businesslike way in which the Committee went through what they had in hand was quite remarkable. There was not the slightest feeling of jealousy on the part of Members of either House; the decisions, after a good deal of discussion, were unanimous except on one point, on which a division arose accidentally, apparently on purpose to show that, on the one hand, there was no party spirit, and, on the other, no *esprit de corps* as regarded the two Houses, and no reference to party—two Peers voting on one side, and two on another, as also an equal number of Commoners—one of each being a Conservative, and the other a Liberal. I should recommend, if such a Joint Committee be appointed, that this Bill be referred to it, but not this Bill alone. The noble Earl (Earl Russell), with his great Parliamentary experience, made a suggestion the other night as to the termination of the financial year which might fitly be referred to it, as also a subject which was brought forward at the time of the discussion of the former Bill, —namely, a scheme for preventing the slipslop wording of Acts of Parliament, of which the public and legal authorities have so much right to complain. Her Majesty's Government, partly with a view to economy, but also with a view to efficiency, have already created a Department, at the head of which is a gentleman meriting the confidence both of the late and the present Government—Mr. Thring—so that all Government Bills may go through the same hands and may be accurately and consistently worded. I think that in Committee some suggestion might be made as to the use of such a Department, in connection possibly with officers of both Houses, so as to exercise some little check and give some advice on the phraseology of Bills. There is another point of more importance to which I prefer alluding only in the most indirect way. It is one which certainly would not properly emanate from this House, but I know than many eminent Members of the House of Commons have a very strong feeling that the straining of some of their privileges is of no use whatever in a constitutional point of view, and is inconvenient, not only to the public and to your Lordships, but also to that House. I should hope that in such a Committee some proposition on that subject might be made which would come more gracefully from Members of the other House than from Members of this. This is the course I venture to suggest; and if it is agreeable to your Lordships I shall make it my duty, in communication with the head of the Government in the other House, to move for the appointment of a Committee of the character I have described.

LORD REDESDALE said, he did not think the country suffered from the want of sufficient legislation, for, on the whole, he thought it had rather too much than too little. One of the great evils which the country suffered from was the want of proper preparation of the Bills submitted to Parliament. There were very few, properly drawn, which found any difficulty in getting through Parliament. He could mention an instance of the value of such preparation. Up to 1845 there had been no general legislation respecting railways; but the railway mania then commencing, and it being evident that a great deal of business would come before Parliament, the Government of the day thought it their duty to bring forward general Bills to be applied to all railways. Accordingly, on the 6th of February—two days after the opening of the Session—the Companies Clauses Bill, the Lands Clauses Bill, and the Railways Clauses Bill for England and Scotland were introduced, each containing from 150 to 160 clauses, and, notwithstanding their voluminous character, they received the Royal Assent on the 8th of May. A few short supplementary Bills on points which they did not touch had since been necessary, but he believed not a single clause in those elaborate Acts had been repealed. This showed how business could be got through when it was properly prepared; but, unfortunately, important Bills were hardly thought of till the Session had actually commenced, when draftsmen were very much employed, and being very imperfectly drawn they required so much consideration and amendment that frequently there was not sufficient time to carry them through. Now, he feared that the operation of the present Bill would rather tend to promote the careless drawing and late introduction of Bills, and he should be glad if both Houses would agree not to give a second reading to Bills containing a given number of clauses unless, with the exception of certain specified Bills, they were introduced during the first month of the Session. Measures ought to be prepared before Parliament met and be introduced early, so that an opinion might be formed upon them, and good legislation would then be facilitated. The noble Marquess (the Marquess of Salisbury) had justly said that his proposal would not be applicable to strong party Bills; and he (Lord Redesdale) could conceive nothing more mischievous than that such Bills, failing to pass one Session, should be resumed by the other House the following Session. Something might be said in favour of the plan as regarded a particular class of Bills; but he could not see why—taking the Bankruptcy Bill as an example — the noble Lord on the Woolsack should not introduce here a similar Bill to that to be submitted to the Commons, and why their Lordships should not discuss it in detail. They would not improbably get through the measure before it reached Committee in the House of Commons; and being sent down to the Commons it might be taken up there and sent back to this House with Amendments at a later period of the Session. If the Bill had advanced so far in Committee that it was not expedient to send it down to the Commons, all its details would have been considered by their Lordships early in the Session, without waiting for the passage of the Bill through the other House. His plan seemed to him more desirable than resuming the consideration of a Bill which had not been passed in the previous Session. He had a strong constitutional objection too, to the principle of determining the proceedings of Parliament by statute. Everything now proposed could be effected by Standing Orders, which had the advantage of being much more easily altered; and at this very time the House were about to experience the inconvenience of the other course, for there were certain conditions as to Railway Bills imposed by an Act of last Session, some of which the companies might not have entirely fulfilled, the result of which would be that however trivial the omission they would be obliged to reject the Bills; whereas had the conditions been Standing Orders, they might have been dealt with in a more satisfactory way. He hoped, therefore, the Committee, if appointed, would consider the expediency of proceeding by Standing Orders rather than by Act of Parliament. The noble Marquess (the Marquess of Salisbury) proposed that the Assent of the Crown should be necessary to the resumption of Bills; but it would be most unconstitutional to require that assent to proceedings in Parliament before the Bill went to the Sovereign for assent. At the same time it was no doubt just that power should be given to the Crown to stop a Bill by prorogation. If both Houses adopted a rule allowing a Member to move the suspension of the Standing Orders in the case of a Bill which had been introduced at a proper time and had received full discussion in the preceding Session, so as to take it up at the third reading or at the report, the object desired by the noble

Marquess would be attained, and the only discussion necessary would be on the suspension of the Standing Orders; while this manner of proceeding would be in accordance with the forms and privileges of Parliament. He might remind their Lordships that the Bill of Lord Derby was referred by the Commons to a Committee then sitting, which had been appointed to consider the best mode of promoting the dispatch of Business in that House, who reported that they did not think it advisable to recommend it for adoption by the House. On that Committee were Lord John Russell, Sir Robert Peel, Sir George Grey, Sir James Graham, Mr. Hume, Mr. Disraeli, Sir Robert Inglis, Mr. Bernal, Mr. Cobden, Mr. Henley, Mr. Denison, and other distinguished Members, and at one of their meetings they adopted a recommendation that, in order to facilitate legislation, the House of Commons should not insist on its privileges in respect of any Bill or clause brought down from this House whereby tolls, rates, or duties were authorized, imposed, or regulated, provided such duties were levied by local authorities, or for local purposes, and were not applied to the public service. Unfortunately, however, that Resolution was rescinded at a subsequent sitting. Such a relaxation of the privileges of the House of Commons would have facilitated business, and would not have prejudiced the full jurisdiction justly claimed by that House over the taxation of the country, for local rates come within quite a different category. He should be glad if so reasonable a proposal were again made, but he agreed with the noble Earl (Earl Granville) that it would emanate more gracefully from Members of the House of Commons than from any of their Lordships. Having stated the objections which he entertained to this Bill he should content himself by saying "Not content" to the second reading.

The Earl of DERBY: My Lords, my apology for offering any observations to your Lordships after the remarks of the noble Earl opposite (Earl Granville), may, perhaps, be found in the fact that, although my Parliamentary recollection does not go so far back as sixty-five years, the period mentioned by the noble Earl, twenty-one years have elapsed since I introduced a Bill in substance identical, and in most of its provisions similar with the measure now before the House. I regret that my noble Friend (the Marquess of Salisbury) has encountered from the noble Lord the Chairman of Committees the same opposition which I encountered on that occasion; but I trust that, notwithstanding the weight to be attached to the authority of the noble Lord, the House has not altered its opinion in the course of a generation, and that it still regards the evil in question as one deserving of some remedy, and that it will sanction the Bill of my noble Friend. The noble Marquess has pointed out that the increase of Parliamentary Business has greatly aggravated an evil which was at that time felt so keenly. My noble Friend (Lord Redesdale) was himself so convinced of the evil that he himself, a few years ago, came forward with a remedy; and the remedy he proposed was an addition to the Standing Orders, to the effect that this House would not take into consideration any Bills which were sent up from the other House of Parliament after a certain date, except in cases of real urgency. That proposition was one which, had it been adhered to, would, to a certain extent, have diminished the evil. But what occurred? I think in the very Session in which it was agreed to the noble Earl opposite (Earl Granville) moved that a certain Bill brought up late in July was one of urgency, and required to be immediately considered; he moved the suspension of the Standing Order in respect of that measure, and the Order was suspended. My noble Friend the Chairman of Committees has urged that to proceed by Standing Orders with reference to the Business of the House is preferable to legislation, because Standing Orders can be suspended in case of necessity. Now that is the very objection I take to proceeding by Standing Orders. Your Lordships are aware that while at the beginning of the Session you have scarcely any business, towards the close of it, in the month of July, when the House is thin and everybody is going out of town, you are inundated by a flood of Bills sent up from the House of Commons. That evil is admitted on all hands; and it is also admitted that at that period of the Session Her Majesty's Government, whatever party is in power, have practically an absolute control over all the business introduced into this House. If, therefore, a Bill which may have met a well-founded opposition in the House of Commons, but has passed that House, should come up to your Lordships in the latter part of July, the Government have every facility for pressing it through the House; but in doing so—in exercising their discretion for that purpose—they inevitably lower the character of this House, expose it to the charge of passing important measures without adequate consideration, and degrade it into a mere registry of the acts of the House of Commons. And this is the case not only with measures in which your Lordships may be reasonably supposed to take a special interest; but it is so often with regard to measures which have no political character at all. The other House may have devoted three or four months to the careful consideration of a measure quite irrespective of party; it comes up to your Lordships towards the end of July; it consists, perhaps, of a great many clauses, some of them of a very important character. But you have no time to consider them. And what is your present alternative? You must either reject them, and so throw on the House of Commons the labour and duty of considering them all over again in the ensuing Session, or of passing them without having subjected them to a careful inquiry and consideration. That difficulty this Bill seeks to avoid; but my noble Friend the Chairman of Committees says that the tendency of the Bill will be to increase hasty legislation. Now, it seems to me that the effect of the Bill would be exactly the reverse. It would prevent hasty legislation, and would relieve us from the alternative of passing a Bill without Amendment and without proper deliberation, or of rejecting it altogether, and so rendering futile the labours of a whole Session in the House of Commons. How my noble Friend can say that a provision which will enable us to take up a Bill at any stage, or to consider it with reference to debates that were begun in another Session—to take it up at a time when we would otherwise have no business at all, and therefore when we are able to give it a careful and deliberate consideration—how he can say that that will encourage hasty legislation I cannot understand. My noble Friend also says that if Bills were proposed before the opening of the Session, and if no elaborate Bills were allowed to be brought in after a certain date, measures would be properly considered, and there would be no need of subsequent Amendments. He instanced cases with which he is very conversant, the Companies Clauses and other Acts, which he says were so carefully drawn that they have required no Amendment. With all respect, however, for my noble Friend, I think there is not one of those Bills which has not been repeatedly amended; and, though I do not deny the desirability of Bills being carefully worded, I do not see how you can enforce that provision upon this or the other House, or how you can prevent any individual Member from introducing Bills at any period of the Session. My noble Friend asks why both Houses should not proceed *pari passû* with a measure—take the Bankruptcy Bill, for instance, which is about to be introduced in the House of Commons. But, however carefully such a Bill may have been drawn, how can you prevent Members either in this or in the other House of Parliament, from moving Amendments, and that clauses involving points of great legal importance and difficulty may be introduced without reference to the other clauses? It is this in fact that leads to so much confusion now, for, when you come to interpret them, lawyers say it is impossible that the House of Commons could have meant the same thing in two clauses of a Bill when they use different language in each; while the fact is, that, practically, they did mean the same thing, only they did not calculate the effect of alterations in one part of the Bill upon other parts. But suppose the same Bill were introduced by the noble and learned Lord on the Woolsack into this House—can your Lordships imagine a greater hotch-potch than would be produced if we were to be employed amending clauses that were struck out in the Commons, while we struck out a clause that was amended there; and at last the two Bills would be interchanged, and we might have two Bills of 250 clauses each, mutually contradicting each other. Of all devices for increasing the complications of carrying Bills through Parliament, I think my noble Friend's device is one which is the least likely to produce anything but confusion. As to proceeding by Standing Orders rather than by legislation, we see how easily the former are suspended, so that the immovability of the latter, which my noble Friend looks upon as a disadvantage, I regard as a decided advantage. Standing Orders are suspended at the caprice of the House, and the instance mentioned by my noble Friend of a Resolution being carried one day and rescinded on another, shows the disadvantage of proceeding in that way. I understood the noble Earl opposite, (Earl Granville), in acceding to the second reading of the Bill, to do so on the understanding that it should be referred, with a variety of other subjects, to a Joint Committee of both Houses. If the noble Earl proposes that this Bill be referred to a Committee of the two Houses impartially chosen—as no doubt it would be—and numbering among its members men whose opinion is entitled to authority, and if the Committee be confined to the consideration of the objects of this Bill, the little experience that I have had of such Joint Committees would certainly induce me to place great reliance and credit upon the Resolutions at which they might arrive. But if the noble Earl proposes to refer to that Joint Committee not only the Bill of my noble Friend, but a variety of other matters embracing such topics as the privileges of the House, and the course of proceeding with regard to other departments of business, I fear that my noble Friend the noble Marquess will find the support given him by the noble Earl opposite to be of a very fallacious character, and the probable result will be that his Bill will be swamped, and my noble Friend will get in lieu of it a Standing Order which will be at all times liable to suspension at the caprice of the Minister. While I thus support the principle and the main provisions of the Bill —if I might venture to make a suggestion to the noble Marquess—I would refer to one or two of the provisions of the Bill. I trust I should be the last to bring in question any of the Prerogatives of the Crown, but I own I do not understand what is the object of that provision that the consent of the Crown is to be necessary—not for the introduction, but for the resumption of a Bill at the former stage. The consent of the Crown is not required to be given before the Bill is introduced into the House of Commons; and if the Bill did not require the consent of the Crown on its first introduction, why should that consent be required for its resumption in the next Session? and why should the consent of the one House be required to the resumption of a Bill by the other House when it is clear that that consent has been given when the Bill was passed by the House in which it originated? Then my noble Friend proposes that the progress of the Bill should depend on a Motion agreed to in both Houses, that it is expedient that the consideration of the Bill should be resumed. I do not understand the object of that. It is enough to place the Bill at that exact stage of proceeding where it would have been if its consideration had been continued in the former Session. There may be some technical reason for this—I confess I do not see it—that at a certain stage, even in the Session of its introduction, it is competent to discharge the Order for its consideration, and therefore it may be desirable to require the consent of both Houses for its resumption. But I think the Government may be hardly treated by the operation of this provision. We all know that at the close of a Session the Government has the control of the business in this House, and that the passage of Bills is entirely in its hands. Now if this measure passed this might happen — Objections are, perhaps, taken to the Bill, and the Government say that the objections are fair and reasonable, and that they will not, therefore, exercise the power they possess and force the Bill through the House, but that they will consent to its being adjourned for consideration to another Session. I think it would not be treating the Government with good faith if, at the commencement of the following Session, the Opposition in this or the other House of Parliament, when the House is full and the Government have not the same control, were to turn round and say, "We won't allow this Bill to be taken up; we won't take it into consideration again." I think that would be doing an injustice, and would lead the Government to exercise their power of pushing on or opposing the measure at the end of the previous Session of Parliament, if they could not rely upon its being taken into fair and deliberate consideration on the re-assembling of Parliament. There is only one other point. It is not made quite clear in what position the Bill, at the completion of its stages, should be sent back to the House in which it originated. My noble Friend does not distinctly say that it should be taken up in the same form as an amended Bill, but I think this should be distinctly understood. I certainly agree that when the Bill is sent down to the House of Commons it should not be necessary to go through the various stages as with a new Bill, but that it should be treated as an amended Bill. But the effect of that would be that, if no Amendments were made in this House, the Commons would be precluded from making any Amendments. Now it would, in my opinion, be highly desirable that on such a Bill going back to the House of Commons, even though this House has made no Amendments, yet the other House should have the opportunity of re-considering its details, and even of moving Amendments, in their own Bill. I think this would be perfectly fair. They may have neglected some details, and it is right they should have the opportunity of correction. But, subject to these observations, I cannot but think that the principle of this Bill is beneficial, and notwithstanding the remarks of the noble Lord the Chairman of Committees, I do not think it will tend to encourage hasty legislation. I think the measure will have the effect of giving both Houses of Parliament a full opportunity of examining the Bills that come before them, and that it will relieve this House from the painful alternative of either absolutely rejecting a Bill or of passing it without examination. I think, too, that it will promote beneficial legislation by supplying to your Lordships' House ample materials for discussion at the commencement of the Session. I am glad to hear that it is not the intention of Her Majesty's Government to oppose the second reading of the Bill, but I must confess that I heard with some anxiety and alarm of the additional matter which the noble Earl opposite proposes to submit to the consideration of the Committee.

Earl RUSSELL said, he perfectly remembered the Committee of the House of Commons to which the noble Earl had referred. He could not remember all the arguments that were used, but he remembered that he was in favour of the Bill introduced by the noble Earl as a useful piece of legislation. But there were two Members of that Committee—Sir Robert Peel, whose opinion of course always carried with it great authority, and Mr. Goulburn, who was not only highly respected, but who had peculiar knowledge of the usages and proceedings of Parliament, and who was therefore listened to with great respect on all questions of that kind—Sir Robert Peel and Mr. Goulburn opposed the Bill, and gave the Committee such arguments against it that it was rejected. He considered the Bill of the noble Marquess (the Marquess of Salisbury) was founded upon that Bill, and that it would materially improve and facilitate the work of legislation. There was one point in which he certainly agreed with the noble Earl who had just sat down. Supposing a Bill had passed through one House of Parliament, and Amendments were made to it in the other House, when the amended Bill was sent back to the House in which it originated, according to the usages of Parliament no clause could be touched unless Amendments had been made upon that clause. But when, after a year's delay, the Bill had been resumed and sent back to the other House with perhaps considerable alterations, it might perhaps seem to a majority of the other House that further alterations were very desirable. The House, therefore, ought to have the power not only of altering any clauses that had been amended, but of amending their own Bill as originally agreed to. He only desired to make one other remark, and that was in reference to the proposal made by his noble Friend relating to the subjects to be considered by the Joint Committee. If they were told that his noble Friend the Secretary of State for the Colonies, or any other Member of the Government, was prepared to submit any proposals to the Committee on those subjects, he should be inclined to give his support to his noble Friend's suggestion; but if, on the contrary, his noble Friend had no proposals on which the Government had agreed to suggest, and if the only object was to fish from the various Members for hints or advice which might be useful in that case, he certainly agreed in the opinion that such a course would involve a great waste of time. His consent, therefore, to that course, or rather his vote, would entirely depend upon his noble Friend informing him whether the Government were prepared to make any proposals which they had agreed to for the consideration of the Committee. He need only say that he should wish to see this Bill proceeded with as soon as possible in their Lordships' House, and sent down to the other House of Parliament.

LORD CAIRNS: I am sure your Lordships are very much indebted to my noble Friend who has proposed this Bill, both for the earnest manner in which he has addressed himself to the task of improving the arrangement of Business in this House, and also for the very practical manner in which he has brought the whole process of our proceedings to the test of his measure. I do not rise to say a word on the principle of the Bill. I entirely concur in it, and in thinking that its adoption would be attended with those great advantages which have been referred to by noble Lords who have spoken much more effectively on the subject than I am able to do. But I rise to say that I think the noble Earl opposite (Earl Granville) takes too gloomy a view of the prospects of a Bill of this kind if your Lordships should think fit to pass it and send it down to the other House of Parliament. It is quite true that in 1848 a Bill to improve the arrangement of our proceedings was sent down from this House, and did not receive the approbation of the other House. But what is the history of that measure? That Bill was proposed to your Lordships' House, and having been read a second time in your Lordships' House, was referred to a Select Committee and carefully considered by that Committee before it was read a third time and sent down to the House of Commons, where a Select Committee on Public Business happened to be at that time sitting. It was referred to that Committee; but I find that the Order of Reference bore date the 11th of August, 1848. I think, when I mention that date, the fact that the Bill did not pass through the other House will not surprise your Lordships. It would have been morally impossible that before the close of the Session it could have received the attention which, no doubt, it otherwise would have received. It reached the Committee; but the Committee did not feel warranted in recommending it to the adoption of the House. Passing from the general merits of the Bill, which I think are very great, I hope my noble Friend will allow me to make one or two suggestions as to matters of detail which have already to some extent been alluded to by some of your Lordships. I think if my noble Friend will only consider the point, he will be of opinion that the first qualification he has imposed upon the resumption of proceedings in either House is altogether unnecessary—I mean that of obtaining the consent of the Crown. I quite concur with my noble Friend the Chairman of Committees that we ought to be careful in introducing, if not necessary and proper, the consent of the Crown as a condition preliminary to our legislation. If the Bill be one which requires the consent of the Crown to be signified—that is, if the Bill be one which touches the Rights and Prerogatives of the Crown—then it is, of course, not only necessary that the consent of the Crown should be given in the first instance, but further I think in such a case the consent of the Crown given one year ought not to dispense with the necessity of obtaining it twelve months afterwards when Progress with the Bill is resumed; because it may well be that, in the interim, circumstances may have occurred which would induce the Advisers of the Crown not to recommend that such assent should be given to the measure. Therefore, my Lords, in that case it would be very fair to make the consent of the Crown a necessary condition. The other matter of detail to which I wish to refer is this—I quite agree with what fell from the noble Earl who spoke below the Gangway at the other side (Earl Russell) that we should be very careful, not merely for the sake of the House of Commons, but for our own sake, that if a Bill is to be resumed in a second Session, and is to be sent back to the House from which it was passed in the previous Session, that House, although it may not have the right to decide upon the principle of the Bill, which it has already accepted on the second reading, must have the right to amend it in detail, and not merely to deal with those Amendments which may have been made in the other House of Parliament; because it is not only possible, but it is extremely probable, that the lapse of a twelvemonth may have so altered the state of things with reference to the Bill that the House which had originated the measure may desire in many respects to alter it. As regards the progress of the present Bill, the noble Earl (Earl Granville) has recommended that it should be read a second time and then referred to a Joint

Committee of the two Houses of Parliament. We should, however, be very careful to understand that if this Bill is to be referred to a Joint Committee of the two Houses it is not to be referred to them with the view of having the details settled for your Lordships' House by a Joint Committee of the two Houses. We must reserve to ourselves the right of settling in a Committee of this House the details of the Bill as one to be adopted by your Lordships' House. It would not be desirable to have that work done by a Joint Committee which might sit in secret. In the next place, we must be very careful to understand what are the subjects with which the Joint Committee is to deal. The noble Earl opposite (Earl Russell) mentioned this a few nights since that he thought an improvement might be effected in the proceedings of the other House if a change were made in the time at which the Estimates are laid upon the table, and in the time at which the Budget is produced. Now, my Lords, I do not believe the other House will allow a Joint Committee of the two Houses to discuss that subject; but, my Lords, further than that, I maintain that questions of that kind are questions for the Executive Government, and not questions for the Houses of Parliament. It is for the Executive Government to say the time at which they will lay the Estimates on the table, and at which they will close the financial year, and make the financial statement that follows upon the close of it. Therefore I think that instead of facilitating the adoption of the principle of this Bill, we should be delaying it by referring points of that kind to the consideration of a Joint Committee. Next, as regards the wording of Acts of Parliament, a Joint Committee of the two Houses might occupy twelve months in discussing this subject. I do not believe that any question would open a wider field of discussion, or would produce greater differences of opinion. The Committee would be asked to deal with the subject of a Minister of Justice, of a department for directing the framing of Bills, and cognate subjects of the kind. Indeed, I cannot conceive any subject on which a greater difference of opinion would be likely to arise. The Executive Government are, after all, the great manufacturers of Bills; and, as we have heard, the Government have, on their own responsibility, organized a department for drafting and preparing Bills under Mr. Thring, than whom there is no one more competent. I am glad of that; and I must say that I think it would be delaying any chances of a measure such as the Bill before us if we were to refer to the Joint Committee a consideration of those other subjects. Then the noble Earl suggests that perhaps the House of Commons will waive, or at all events not insist on, their privileges in respect of taxing clauses in Bills not directly connected with the financial arrangements of the country. I should be glad that the House of Commons should do as the noble Earl suggests; but I am sure that the House of Commons is not going to submit that question to a Joint Committee, in which the Members of that House might be outvoted on a matter relating to their own privileges. My Lords, the result is this—that there would be nothing to refer to the Joint Committee but the question of the principle of the present Bill. Now, I must say that I think there is a great deal in what fell from my noble Friend the Chairman of the Committees as to the possibility of this and the other House of Parliament effecting by Standing Orders what is proposed to be done by this Bill; and I will tell you what, in my opinion, the advantages of that course would be. If you pass an Act of Parliament regulating the Business of the two Houses, then, no matter how much one of the two Houses may upon experience find any part of the arrangement to be, and however much it may desire to retreat from that part of the arrangement, it is unable to do so without obtaining the consent of both Houses of Parliament; whereas, if each House proceeds by Standing Orders, then either House, which on experience does not approve of the arrangement, is able to rescind its Standing Orders, and there is an end of the arrangement altogether. As to the objection that there is a temptation to suspend Standing Orders, I would observe that there is a difference in this respect between "restrictive" and "enabling" Standing Orders. There is a temptation to suspend the former; but no such temptation exists in the case of the latter. Therefore, my Lords, the practical question—What shall be done with this Bill?—I venture to be hope will be solved in this way. If the noble Earl (Earl Granville), on communicating with his Colleagues, were in a position to say that the Government adopted entirely the principle of this Bill, but that they desired to have a Joint Committee of the two Houses, in order that the Joint Committee might say whether they would assent to the principle, and whether the principle should have effect given to it through the medium of a Bill or the medium of Standing Orders, and if the operations of the Joint Committee should be confined to that purpose, and that only, I think that would be a very good way of dealing with the further progress of the question. But if that is not the view of the noble Earl, then I should say, in reference to such a proposal, that it is very much better for my noble Friend to proceed in Committee of the Whole House with the Bill which he has brought forward.

EARL GREY: My Lords, I approve of the object of the Bill now before the House, because I believe that great advantage would result from the adoption of some system by which Bills might be resumed in a new Session of Parliament at the stage at which they arrived at the end of the previous Session. At the same time I must admit there is great force in the argument used by the noble and learned Lord (Lord Cairns) that it is objectionable to attempt, by means of legislation, to interfere with the course of proceeding in either House of Parliament. When this question was the subject of discussion on a former occasion, Lord Truro expressed a strong opinion against the adoption of any proposal to regulate the mode of procedure in either House by legislation. There is also much force in the objection of the noble and learned Lord to send this Bill to a Joint Committee of both Houses to be considered with a number of other subjects. I agree with my noble Friend (Earl Russell) that a Committee of this sort, if it is intended to devise some new arrangements to facilitate the transaction of business, is not likely to lead to any useful result. If it is to deal with recommendations to be suggested by Her Majesty's Government the case would of course be altogether altered; still I doubt whether the best way of dealing with such suggestions would be to refer them to a Joint Committee. I do not know how far the House of Commons would be willing to place the power of regulating their own mode of procedure in the hands of a Joint Committee. At the same time I am convinced that the present mode of procedure might be greatly improved, and stands in great need of being so, and if a Joint Committee be appointed to consider this question I hope they will not content themselves with recommending some such arrangement as that proposed by this Bill, but will look more deeply into the whole question, and consider whether in addition to this some more extensive improvement might not be made in the whole machinery of legislation. No one who has paid attention to the course of Public Business in either House during the last few years can fail to be sensible of the truth of what has been stated by the noble Marquess, that Parliament has become less and less able to deal satisfactorily with the vast mass of legislation which comes before it. There are a number of subjects of the highest importance which, for sheer want of time, fail to receive the consideration and despatch at the hands of Parliament to which they are entitled. There are notoriously many points in our law which require speedy improvement which are postponed from year to year and from Session to Session because there is not, under existing arrangements, time for their being properly attended to. In my opinion this press of business has become so great an evil that I am persuaded that in some mode or other, whether by means of a Joint Committee, such as is now proposed, or by some more deliberate method of inquiry, it is absolutely necessary to re-consider the whole machinery of our legislation; and I am convinced that a great deal may be done by the improvement of that machinery. The noble Lord has said very truly that much depends upon the manner in which Bills are prepared before they are brought before Parliament, and I do not think that our existing arrangements in that respect are at all satisfactory. But I must also submit to your Lordships that after Bills have been brought into Parliament our mode of dealing with them is most defective. They are read a second time and then they go before a Committee of the Whole House. Any one who knows what a difficult task it is to frame an Act of Parliament in such a manner that it shall clearly and accurately express the intentions of the Legislature, must see that if a Bill has been ever so carefully drawn up in the first instance, when the wording of the clauses comes to be discussed in a Committee of the Whole House, when Amendments are made in them, and new clauses are introduced, it is impossible that these can be properly considered by so numerous a body, with their bearing on the rest of the Bill and on the existing law. A Committee of the Whole House is not only utterly unfit to deal with the details of a Bill, but, in doing so, wastes much valuable time, and thus stops the work of necessary legislation. I am sure my noble Friend (Lord Russell) must, like myself, have a lively recollection of the many weary hours we sat on the Treasury Bench in the House of Commons in carrying through Committee some of the important measures proposed by Lord Melbourne's Government. In Bills which had been drawn up with the best professional assistance, it was common to hear Members proposing verbal Amendments, to which, at a moment's notice, and without an opportunity of deliberately considering their effect on other clauses of the Bill, it was difficult to perceive the objections, and thus Amendments which afterwards proved highly inconvenient were sometimes made with very little consideration. After we had been toiling from five until nine or ten o'clock in the evening, Gentlemen who had been much more agreeably engaged, and who were ignorant of what had occurred in the early part of the evening, used to come down to the House, take part in the discussion upon the Bills, and propose Amendments which were utterly inconsistent with what had been previously done. I even remember it to have happened that one of our own Colleagues had come down at a late hour and jumped up most gallantly to help us in defending some clause from an injudicious Amendment which had been pressed upon us, but unfortunately he did so upon grounds totally opposed to those upon which we ourselves had taken in his absence. From practical experience, therefore, I believe that a Committee of the Whole House is utterly incompetent to discharge the duties imposed upon it. The result of our present system of legislation is that, when a Bill has become law it is found to be so full of inconsistencies and blunders, and so difficult to understand that the time of our Judges and our courts of law is wasted in endeavouring to reconcile one inconsistent clause with another, and to put some rational meaning upon the aw lwe have made. It often happens, too, that while the early clauses in a Bill are discussed at unnecessary length, those in the latter part of a long Bill, which are not brought before the House until it is tired of the subject, are hurried through with scarcely any consideration whatever. In the early period of our Parliamentary history, I believe, the Houses of Parliament never attempted, as they now do, to deal with the technical task of putting an intended new law into words. At that time the substance of a measure was agreed to by the Houses of Parliament, but the manner in which that substance was to be worked out was left to be decided by the Judges. I do not desire to see these matters mixed up with the consideration of the present Bill, but I do hope that in some mode or other Parliament will consider whether it cannot improve its machinery of legislation. It is impossible our Acts of Parliament can be correctly drawn under the present system; but Parliament might depute to other persons what I may call the mechanical and technical task of settling the legal phraseology by which its objects are to be accomplished, without abandoning its proper control over the substance of legislation. Some such reform is urgently wanted to improve and expedite the process of legislation.

THE LORD CHANCELLOR: One or two of the points suggested by your Lordships in this discussion appear to me of considerable importance apart from the measure itself which has been proposed. I desire, however, to say a few words on two points only. I do hope that if a Joint Committee of the Members of both Houses be constituted in the manner which has been proposed, they will not fail to secure for the future the due framing of Bills which are to become the law of the land. It has been said by my noble and learned Friend (Lord Cairns) that it is the business of the Government to see that the Bills which they bring forward are properly drawn and presented in a fit and proper manner. That, no doubt, is so; but my noble and learned Friend cannot forget that in the other House of Parliament there are many Members who, whatever the nature of the measure under consideration, think they can improve the wording of the Bill. Bills of magnitude, such as those dealing with the question of bankruptcy, the amendment of the mercantile law, or other measures which affect great classes of the country, are necessarily divided into a great number of clauses; and upon a Bill of perhaps 400 or 500 clauses, I will not say the interference, but the intervention of Members immediately occurs, who fancy that they can improve the wording of each particular section. The consequence is that when these Bills ultimately reach the Judges numberless provisions are so inconsistent with each other that it becomes a matter of great difficulty to give effect to the intentions of the Legislature, or frequently to discover what the intention really was. Now, if the Joint Committee, the constitution of which had been suggested, could be induced to recommend that the Houses of Parliament should concur in confiding to officers of their joint selection the task and duty of revising Bills with respect merely to their wording—but not as to other matters — before they received the Royal Assent, you will be taking one of the very best steps which has been taken for many years to promote an intelligible system of legislation. And, more than this, by appointing gentlemen of such ability as you ought to command, an easy means will be provided of digesting each Session the different Acts of Parliament which are passed, and of bringing their provisions into accord. Instead of having 160 new statutes passed every year, by applying to them some degree of method and classification, the mass of legislation presented to Parliament might be reduced by one-fourth or one-third of its present amount. After the discussion which the Bill has received I need not detain your Lordships with any general observations; but I must make one remark upon an observation which has fallen from the noble Lord the Chairman of Committees. He told your Lordships that there is no difficulty in passing a Bill through the Legislature rapidly and promptly, provided it be carefully prepared and properly worded; and he gave, as an illustration, the Lands Clauses, the Railway Clauses, and the Companies Clauses Consolidation Acts. My Lords, I am unfortunately old enough to remember the very commencement of those clauses, from the time, I may say, when they were in their cradle. I am not going to inflict their history upon your Lordships; but I will shortly state that these clauses originally came from other Acts, being inserted in every Bill by the noble Earl (the Earl of Shaftesbury), who preceded the noble Lord in his Office of Chairman of Committees. They were called "Lord Shaftesbury's Clauses," and were inserted *totidem verbis* in every Bill, until it was found that, accidentally, differences had grown up in the copies of the clauses which were so inserted, and accordingly, to correct this error and with a view to future uniformity, it became necessary to embody these clauses in two or three general Acts. These clauses consequently had been nursed into existence for fourteen or fifteen years, and after that long minority they undoubtedly took a perfect shape under the care of the noble Chairman of Committees; and owing to the care and promptness which he exhibited, it was not likely that any clauses of a similar kind would experience much difficulty in passing into law. But the case is very different with any general measure of the character to which I have referred. The unfortunate Bankruptcy Bill has been introduced in the House of Commons by the Attorney General of one Government; in the next year it has again been introduced in the House of Commons by the Attorney General of another Government; in the following year it was introduced into this House by one of my noble and learned Friends (Lord Cairns). But I find that, whether introduced into the House of Commons or this House, that Bill has never had the good fortune to be passed into law, owing mainly, I believe, to the numerous clauses which it contains. If, however, we were to adopt the suggestion which has been made, and were to begin the discussion of the measure simultaneously in both Houses, many disagreeable consequences must follow—as, indeed, has been already pointed out. I apprehend that the wish of the noble Lord (the Marquess of Salisbury) is to economize and not to fill up time; but I can hardly conceive anything less likely to economize and utilize our time than our embarking on a discussion of the Bill simultaneously with the House of Commons. There are at least five points in the Bill each of such a character that any material change in one of these must necessitate a change throughout a great many clauses of the Bill. We might come to a conclusion in this House upon one of these leading points which would be opposed to that arrived at in the House of Commons, and the result would be that the labour of one or other of the Houses would be completely thrown away. I can imagine no greater waste of time than that your Lordships should be discussing the points of a Bill, on the assumption that they still remain in it, when perhaps the other House may have already struck them out. I trust that when this Joint Committee is appointed, it will not be thought unreasonable that one point at least to be brought under their consideration should be the propriety of having the wording of our Bills supervised before they ultimately pass through both Houses.

THE MARQUESS OF SALISBURY: I have no reason to be otherwise than grateful to noble Lords who have taken part in the discussion for the manner in which they have dealt with and discussed the Bill. There are only two points upon which it will be necessary for me to say a few words. In the main I agree with the Amendments which have been suggested by my two noble Friends (the Earl of Derby and Lord Cairns). The precautions with respect to the Prerogative of the Crown and the assent of the other House of Parliament were introduced by me because I was told that jealousies would be created unless I did so. I, therefore, introduced those provisions, not because I liked them, but to disarm opposition to a Bill which I valued; and I shall be very glad to find that the principle of the Bill in its more simple form is likely to be adopted. I also agree with my noble Friend that it would be a very good arrangement, when the Bill goes back to the originating House, that power should exist to amend the Bill right through, and not merely those portions touched by the other House. With regard to a Joint Committee, the experience which we all possess of these inquiries must convince us that it is a dangerous thing to refe any measure you have a value for to a tribunal of the kind. There is such a tendency in Committees invariably to wander into all sorts of complex subjects, their efforts are so borne down by the excess of their own zeal, that before their inquiry has come to a conclusion, the facts which occasioned it are well-nigh lost sight of. That is my fear in the present case; but I am quite aware of the great importance of conciliating opinion and disarming objections in the other House of Parliament. If we could induce a certain number of the Members to meet us and dismiss the matter quietly there would be, I think, a great chance that we should induce them to take a favourable view of the principle of this Bill. I can only, therefore, trust — as we are all willing to do — to the good faith of the noble Earl opposite (Earl Granville), that he makes this proposition for the purpose of getting the question settled, and not for the purpose of delay. With that understanding—which I am sure the noble Earl will not hesitate to enter into — I shall be glad to assent to the reference of the Bill to a Joint Committee. Upon the point of form, I do not know how far we are competent to refer the Bill to a Joint Committee, or to anything but a Committee of our own House, though we are at perfect liberty to suspend the Bill until a Joint Committee of both Houses has reported upon it. Probably that would be the most suitable course to adopt. Of course, if I saw that the deliberations of the Committee were being pursued to an extraordinary length, or that there was no sign of their coming to a conclusion, I should in that case seek to have the Bill re called and proceeded with in the ordinary course. But, subject to that observation, I believe the course suggested is a very proper method of dealing with the subject.

EARL GRANVILLE: I hope there will be no misunderstanding as to the proposition I made. It is entirely for the noble Marquess to consider whether his proposal for a Joint Committee will be likely to facilitate the progress of the Bill or not. There will be no opposition to it from me in this House, but I have been informed by Lord Eversley, who has been obliged to leave the House, that the noble Marquess is under a misconception as to what occurred in the other House. The Bill was carefully considered by the Committee of the other House, but it was thought better to report simply against it in order to avoid any points of controversy between the two Houses. The Bill was, however, thoroughly discussed in the Committee upon its merits before that Report was agreed to. I suggested a Joint Committee to the noble Marquess, because there has already been a discussion on the despatch of Public Business in this House. It was admitted on both sides that there are evils to be corrected, and I think it would be advantageous if those evils were considered by persons of experience in both Houses. If this Bill were the only matter for consideration, I could hardly ask the House of Commons to propose so great a machinery as a Joint Committee to consider it. I can assure the noble Marquess that in making this proposal, and in serving on the Committee, if I should be appointed, I shall not have the slightest wish to lengthen its deliberations one minute longer than is necessary. I am grateful to my noble Friend (Lord Russell) for the advice he has given me, and if I go into the Committee I shall have some policy of my own as to what is to be done there. If, however, we are to have a Joint Committee, we ought not to lay down any cut-and-dried principles as to the course we shall pursue. That is the only means by which we can arrive at anything like a unanimous conclusion on the different points to be submitted to the Committee.

The Earl of CARNARVON: I think it most desirable to accept the proposal of the noble Earl opposite, and to refer the Bill to a Joint Committee of both Houses. Upon that Joint Committee persons of weight and influence in both Houses might serve, and facilities would be obtained for passing this measure. On the other hand, there might be danger to the Bill itself if all the various subjects mentioned by my noble Friend opposite—subjects so weighty, so considerable in extent and in numbers—were included in the Reference. The result might be that the Committee might defer reporting until the close of the Session. Supposing that both the Bill and the other important subjects were referred to the Joint Committee, an Instruction might be added that the Committee should, in the first instance, report on the Bill, and then the Joint Committee might determine the consideration of the other matters of the greatest importance. In this way it might be possible to find the means of reconciling the views of both sides of the House.

Earl GRANVILLE: If there is a Joint Committee there must be a general reference of all the subjects to it.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

The Marquess of SALISBURY said, he would fix the Committee on the Bill for that day week, and he supposed the noble Earl opposite would arrange for the Joint Committee.

Earl GRANVILLE said, he would communicate with the noble Marquess on the subject.

BRAZILIAN SLAVE TRADE BILL.

(*The Earl of Clarendon.*)

(NO. 14.) COMMITTEE. REPORT.

Order of the Day for the House to be put into a Committee on the said Bill, read.

The Earl of CLARENDON said, that before he asked their Lordships to go into Committee on this Bill he wished to advert to something that had fallen from the noble and learned Lord opposite (Lord Cairns) on the occasion of the second reading. It was absolutely necessary to recall the reasons why the former Bill had been passed, because it was framed and agreed to in order to stop the slave trade, and that trade had been stopped accordingly for ten or twelve years. Exception had been taken by the noble and learned Lord to the Bill, in ignorance, apparently, of the fact that it had been drawn by the Law Officers of the late Government last year. It was intended to be introduced by Lord Stanley, but it was first referred to the Law Officers of the late Government, and was approved by them in the exact form in which it now stood, with the exception of one verbal alteration made at the Foreign Office in the Preamble. He regretted the absence of another noble and learned Lord (Lord Chelmsford), who was generally so regular in his Parliamentary attendance that he had not thought it necessary—as he otherwise should have done—to give him notice of his intention of referring to this matter. It would be in the recollection of their Lordships that the noble and learned Lord (Lord Chelmsford) stated he had not been consulted about the measure of 1845 before it passed, and that when it was proposed by Sir Robert Peel in the House of Commons he had the greatest difficulty in finding arguments in its favour. It was not regular to read the opinions of the Law Officers of the Crown, but he held in his hand an abstract of the opinion of the Law Officers of that day upon the Bill. That opinion was conclusive in favour of further legislative enactments such as were afterwards embodied in the Bill, and it bore the signatures of Sir John Dodson, Sir William Follett, and Sir Frederick Thesiger. He felt it his duty to draw the attention of their Lordships to this circumstance, not in order to convict the noble and learned Lord of inaccuracy, but because he feared that the effect of the noble and learned Lord's speech, backed as it had been by that of the noble and learned Lord the Leader of the Opposition, would be likely to produce a very injurious effect at Rio. He was, of course, far from attributing any such motive to the noble and learned Lord, but his speech might have the effect of encouraging the owners of Brazilian cruizers to suppose that they had claims against the English Government when no such claims could be recognized. If, however, there were any persons in Rio who looked forward to bringing any such claims before Parliament, on the authority of the noble and learned Lord, it would be well for them to know that the noble and learned Lord, when a Law Officer of the Crown, had signed an opinion directly opposite to that which he had expressed on Tuesday on the second reading of the Bill.

LORD CAIRNS said, he could not help thinking it would have been better if the noble Earl, intending to refer to what touched so directly the recollection of his noble and learned Friend on a matter which occurred so long ago as 1845, and regarding which there was a difference of opinion, had given notice, so that his noble and learned Friend might have been present to hear what was said and answer any charge that might be preferred. The noble Earl was about to take a course so unusual, and in his experience without precedent, of reading the opinion given by the Law Officers of the Crown upon the Aberdeen Act. The opinion given by the Law Officers of the Crown to their Governments had always been held to be sacred communications, never to be divulged to the public.

THE EARL OF CLARENDON said, he had only intended to read the substance of the Opinion.

LORD CAIRNS must say the noble Earl took rather a peculiar view of what was private and confidential if he considered that he was entitled to communicate the substance of the opinion, provided only that the words of the opinion were not conveyed to the public. With one exception, where a protest was made that it should not be drawn into a precedent, the opinion of the Law Officers of the Crown had always been considered sacred and not to be divulged. But what was of more importance, the noble Earl had not thought it right to inform his noble and learned Friend of the charge in respect to his memory which he perfectly well knew he was going to make. The noble Earl had said that he had criticized the Preamble of the Bill. What he had said was—as the right thing was going to be done, it might be invidious to criticize the manner of doing it; but he thought the Preamble should simply state that it was desirable to repeal the Aberdeen Act. He gave that as his opinion, and their Lordships would, of course, take it for what it was worth. The noble Earl said further that the late Government, of which he (Lord Cairns) was a member, had prepared a Bill on the subject, which had been settled by the Law Officers of the Crown; to which he could only reply that, while he was a Member of the Government no such Bill was even under consideration of the Government, and that he had never heard of it until he heard from the noble Earl opposite that he was about to introduce this Bill. He then told the noble Earl he (Lord Cairns) was glad that it was to be introduced. In 1864, in the House of Commons, he had expressed his opinion in regard to the Aberdeen Act in very unqualified terms—he said—

> "As a question of international law it was impossible to look at that Act without feelings of unmitigated amazement. He firmly believed there was not a country in the world of whose strength we had reason to be afraid against whom we should ever have ventured to direct such a measure."—[3 *Hansard*, clxxvi. 1642.]

When the noble Earl said that the observations which fell from him might have a serious effect in Brazil with reference to claims which might be raised—that effect might have been produced some years ago; but it was quite impossible that any such claims could be raised by any slaver. Whatever right of objection existed on the part of the Brazilian Government to the law as it existed, no right could exist on the part of any Brazilian subject to make any such claim. It would be absurd. He repeated his opinion that, although Brazil might have been charged with a violation of the treaty, and though we might have had a perfect right to send in reclamations against the way in which they were violating it, we had no right by legislation to authorize our subjects to seize when they found in Brazilian waters or even on the high seas, but more especially in Brazilian waters, Brazilian subjects engaged in the slave trade. No one could feel more strongly than he did the horrors of the trade which Brazil was at that time carrying on, and the great propriety of this country doing everything that could be done to stop that trade; but it was a very serious thing that we should make a precedent which might be used against ourselves by other countries, as we undoubtedly did when we conducted our legislation in violation of the principles of international law—and he feared that might be said of the Aberdeen Act. To that opinion he still adhered.

Earl RUSSELL said, he greatly regretted that he had not been present the other night when this subject was referred to, but he would not enter into the personal part of the subject. He would simply say that he quite approved of the principle of the measure which had been introduced for the repeal of the Aberdeen Act. There was one point of the utmost importance, and one which should be put on a proper footing, otherwise not only misconception but positive evil might arise. The subject was of the greatest importance, and it would be most unfortunate if it should go out to Brazil that the Parliament of England had made a great mistake and committed an injustice by the Act of 1845, and that this Bill was a reparation of that injustice. Against such an inference and such a statement he most strongly protested. His belief was that Sir Robert Peel and Lord Aberdeen were incapable of acting contrary to justice towards another country. He believed that the opinion given by the Law Officers of the Crown was the right opinion. The question of the slave trade, as already stated by his noble Friend, stood on grounds of high morality, which was the foundation of all international law, and in passing the Aberdeen Act Parliament did an act of justice and morality. No injustice was committed by the Act; it had answered all its purposes, and therefore in duty and wisdom it was now time to repeal it. What was really the efficient cause of the cessation of the slave trade in Brazil? The efficient cause was not any change in public opinion in Brazil, but the order which was given to the Admiralty, by the advice of Lord Palmerston, then at the head of the Foreign Office, that Her Majesty's ships of war and cruizers should go into the waters of Brazil and seize any Brazilian vessel engaged in the slave trade. There was no better title to the regard which the memory of Lord Palmerston was always sure to inspire than that which he derived from the acknowledgment that he always looked to the justice as well as to the technicalities of a case. The consequence was, as had been reported by Dr. Livingstone, that in Africa the name of Lord Palmerston was known and celebrated as the name of a man who had put an end to that inhuman and abominable traffic called the slave trade. He was very sorry that there should be any person whatever who should call in question the justice of the Act of 1845, and that the motive of passing a Bill for the purpose of repealing it should in any way be misunderstood. He had himself in the House of Commons opposed the repeal of that Act, and he should have opposed it now if the slave trade of Brazil were not abolished. It was the honour and glory of this country to have suppressed that horrid traffic called the slave trade, and he trusted it would soon be possible to withdraw the African squadron from the station where so much loss of life and hardship had been suffered in order to extinguish it.

House in Committee accordingly; Bill *reported* without Amendment; and to be read 3ª *To-morrow.*

House adjourned at a quarter before Eight o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 4th March, 1869.

MINUTES.]—New Writs Issued—*For* Bradford, *v.* Henry William Ripley, esq., void Election; *for* Bewdley, *ordered.*

Select Committee—Parliamentary and Municipal Elections, *appointed.*

First Report—Committee of Selection [No. 64].

Supply—*considered in Committee*—Supplementary Grant—Abyssinia.

Public Bills — *Resolutions in Committee—Ordered — First Reading*—Contagious Diseases (Animals) (No. 2) [38]; Pharmacy Act (1868) Amendment [37].

ARMY—THE WAR OFFICE AND HORSE GUARDS.—QUESTION.

Mr. WHITE said, he would beg to ask the First Lord of the Treasury, If it be true that the Field Marshal Commanding in Chief is in the habit of making submissions for appointments in the Army to, and receiving the Commands from, Her Majesty the Queen directly, and not through the responsible Minister the Secretary of State for War ?

Mr. CARDWELL said, that as the Question fell, properly speaking, within his Department, he would answer it. The course pursued in the cases referred to by the hon. Member was this — Submissions are prepared in the office of the Field - Marshal Commanding-in-Chief; they are sent to the War Office for the approval of the Secretary of State, and having been approved by him they are submitted by the Field-Marshal Commanding-in-Chief for the approval of Her Majesty, and he receives Her Majesty's commands upon them. His hon. Friend was probably aware that this subject was fully considered and reported upon by a very influential Committee of the House, presided over by Sir James Graham, and that Committee recommended that no alteration should be made in the custom.

THE MALT DUTIES.—QUESTION.

Mr. M'COMBIE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Government intend making any alteration in the Malt Duties this Session, or whether they are prepared to modify them in so far as they may bear injuriously on the agricultural interest?

The CHANCELLOR of the EXCHEQUER: I hope the hon. Gentleman will excuse me if I decline at this period of the Session to go into the question of the malt tax. It will not be very long before I shall have to make my Financial Statement to the House, and then I can argue the matter at length. Any answer which I might give at present would only do injustice to so large a subject.

GILBERT'S UNIONS.—QUESTION.

Mr. MITFORD said, he would beg to ask the President of the Poor Law Board, If the Poor Law Board intend to exercise their powers with respect to the dissolution of Gilbert's Unions during the present year?

Mr. GOSCHEN, in reply, said, it was the intention of the Poor Law Board to exercise its power as regarded the dissolution of the Gilbert Unions. In several cases the Board was already exercising its powers, and its inspector had just reported on the union in which the hon. Member was probably interested. The new system could not come into operation before the 25th of March.

CONVEYANCE OF FEVER PATIENTS. QUESTION.

Captain DAWSON-DAMER said, he would beg to ask the President of the Poor Law Board, Whether it is the case that three or four patients recently brought to the Fever Hospital from different workhouses were found dead on arrival there, in consequence of having been conveyed in a sitting posture in cabs, instead of being conveyed in proper ambulances; and whether each parish should not be bound to provide a fever ambulance?

Mr. GOSCHEN, in reply, said, it was unfortunately too true that the three or four patients referred to were found dead on their arrival at the Fever Hospital. Although it could not be said that their having been conveyed in a sitting posture caused the deaths, the medical officers stated that it may have materially contributed to the result, which was, of course, much to be deplored. With regard to the second part of the Question, he stated that parishes were not bound to provide ambulances, and that these patients were conveyed, not in ordinary cabs but in what are called parish cabs.

The matter was under the consideration of the Poor Law Board, and it was a question whether the Metropolitan Asylum Board should not take the matter in hand and provide proper carriages for the purpose. He added that the patients who had died were not carried a very long distance; it was the sitting posture and not the distance that caused their deaths.

EMIGRATION OF PAUPERS.

QUESTION.

SIR THOMAS LLOYD said, he would beg to ask the President of the Poor Law Board, Whether he is prepared to take into consideration the propriety of relaxing the rule now in force by which the Poor Law Board refuses its sanction to grants of money from Boards of Guardians in aid of paupers desirous of emigrating to the United States of America, and limits such sanction only to intending emigrants to our British Colonial possessions?

MR. GOSCHEN, in reply, said, that the subject was under the consideration of the Board, and he had communicated with the Emigration Commissioners as to the regulations on pauper emigration. He found that one of the restrictions placed upon pauper emigration was that alluded by the hon. Baronet. It was at present illegal for guardians to send paupers to the United States, and the restrictions arose from a remonstrance made in 1838 by the United States Consul on the subject. Whether the United States had the same objection now to the immigration of paupers he could not say.

NAVY—OFFICE OF LORD HIGH ADMIRAL.—QUESTION.

MR. WHITE said, he would beg to ask the First Lord of the Treasury, Whether, after the recent declaration of the Secretary of State for War, that "it would be very unfortunate if the patronage connected with the Army were transferred from the Field Marshal Commanding in Chief to a political officer," it be the intention of Her Majesty's Government to revive the office of Lord High Admiral, and transfer to him the Naval patronage now vested in the First Lord of the Admiralty?

MR. GLADSTONE: Sir, in reference to the answer given on a former evening by my right hon. Friend the Secretary of State for War, a certain part of which my hon. Friend has put in his Question, I beg to say that I entirely identify myself with the answer given by my right hon. Friend. Therefore, I am perfectly ready to reply to the challenge of my hon. Friend. Evidently my hon. Friend has framed a sort of proportion of four terms in his head. He thinks, that as the Secretary of State for War is to the Field-Marshal Commanding-in-Chief, so is the First Lord of the Admiralty to the Lord High Admiral. I apprehend, however, that that is not the fact. The Lord High Admiral is a great Officer of State, who, according to the ancient arrangements of the country, was charged, not only with the patronage, but with the whole of the administration of the Navy. The First Lord of the Admiralty is simply the first-named member of a Commission to whom is now intrusted the duties of the Lord High Admiral, precisely as the duties of the Lord High Treasurer are intrusted to the Commissioners of the Treasury. I think, therefore, my hon. Friend will have to re-consider this most ingeniously constructed Question. I do not, Sir, propose to revive the office of Lord High Admiral.

ASSESSED RATES BILL.

QUESTION.

MR. NORWOOD said, he would beg to ask the President of the Poor Law Board, If he will postpone the Second Reading of the Assessed Rates Bill, now fixed for the 4th March, to give time for the constituencies to express an opinion on its provisions?

MR. GOSCHEN, in reply, said, that, in deference to numerously expressed views from various quarters, he would in the meantime postpone the second reading, but that he would set it down for an early day next week.

NAVY—THE COASTGUARD.

QUESTION.

MR. STEWART HARDY said, he would beg to ask the First Lord of the Admiralty, Whether the reductions contemplated in the Coast Guard ashore are to be general throughout the kingdom or confined to particular stations; and, if the latter, whether he would object to name the stations affected by them?

MR. CHILDERS, in reply, said, that the reduction shown in the Estimates for the year 1869-70 of the coastguardsmen on shore was from 4,850 men to 4,625, that was 225, of whom fifty were civilians and 175 were seamen. The reduction would be made over the whole service, but the places at which those 225 men would be reduced were altogether fifty-six, principally in rivers above custom houses, and 564 men were now employed at them. No reductions were being made in Ireland or the east coast of Scotland. It would be scarcely worth while to print detailed accounts of this description, but he would show the hon. Member the Papers if he would call at the Admiralty.

ARMY—EXAMINATIONS FOR COMMISSIONS.—QUESTION.

COLONEL BARTTELOT, remarking that the greatest anxiety prevailed among the parents of young men being prepared for examination, asked the Secretary of State for War, Whether it is the intention of the Government to reduce the number of Cornets in Cavalry and Ensigns in Infantry Regiments, and to place them on half-pay; and, if so, whether the two usual Examinations of those wishing to obtain Commissions in the Army will take place this year?

MR. CARDWELL, in reply, said, that the introduction of the squadron formation in lieu of the troop formation of the cavalry involved a reduction of four cornets in each of the cavalry regiments; there would also be a reduction of two companies in every infantry battalion returning from the colonies, and the result would be to diminish the number of officers in the two branches of the service. It was not intended, however, to place them upon half-pay, but to absorb them as vacancies occurred. The number of vacancies for candidates for new commissions would, of course, be diminished. It would, however, be necessary to have the first examination in May; but he was not able to say until the supernumeraries had been absorbed when the next examination would be held.

THE BLEACHWORKS ACTS—QUESTION.

MR. WILBRAHAM EGERTON said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Commissioner appointed to inquire into the operation of the Bleachworks and Printworks Acts, which was promised at the end of last Session, will be laid upon the Table; and, whether he intends to bring in any Bill on the subject during the present Session?

MR. BRUCE, in reply, said, that the Commissioner appointed to make the inquiry had unfortunately fallen ill immediately on the completion of his inquiry, and had been unwell ever since; he had recovered, however, and was now engaged in making his Report, which would, he hoped, be completed shortly; proposals for legislation would follow as soon as circumstances would permit.

CARRIAGE OF LIVE STOCK.
QUESTION.

SIR ROBERT ANSTRUTHER said, he would beg to ask the Vice President of the Committee of Council on Education, Whether his attention has been called to the amount of injury inflicted upon live stock from the want of any means of supplying them with food or water when in transit by rail, and to the consequent deterioration of the quality of meat supplied to the public; and, whether he will be prepared to make any regulations upon this subject in the Bill which he is about to introduce for the regulation of the Traffic in Cattle?

MR. W. E. FORSTER, in reply, said, that the subject was under the consideration of his noble Friend Lord De Grey and himself; the second part of the Question could be best answered later in the evening, when introducing the Bill having reference to cattle disease regulations.

ARMY—MILITIA QUARTERMASTERS.
QUESTION.

MR. W. E. PRICE said, he would beg to ask the Secretary of State for War, Whether he is aware that Quartermasters of Militia regiments are entitled to no retiring allowance or pension after long service, except such as they may have been entitled to from service as non-commissioned officers or privates in the regular Army; and, whether he contemplates making any provision for the retirement of Quartermasters of the Militia of the United Kingdom, after certain length of service.

Mr. CARDWELL said, in reply, that he was aware of their position, and the subject was at present under consideration, with a view to the point to which the hon. Gentleman had referred.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE ABYSSINIAN EXPEDITION.

OBSERVATIONS.

Mr. WHITE said, that, according to the Notice on the Paper, they were about to go into Committee of Supply for a Supplementary Vote of £3,600,000 for the Abyssinian Expedition. Now, if no further sum was to be demanded, Her Majesty's Government owed it to themselves, to that House, and the country to recommend that a Committee should be appointed to inquire into the cause of the huge discrepancy which had arisen between the original Estimates and the amount which had been, and would yet be, demanded; and more than that, the Committee should report as to who were responsible for such a monstrous miscalculation. He said "monstrous miscalculation," because, even if no further sum were to be demanded, the amount would be £3,600,000 more than the House was led to believe the expedition could possibly cost. To justify his remarks, although they had the Supplementary Estimate delivered only yesterday, he had taken the pains to revive his recollection of what had passed on the subject of this expedition, and he had communicated to the Secretary of the Treasury and also to the right hon. Gentleman the Member for North Northamptonshire (Mr. Hunt), who was Chancellor of the Exchequer in the late Government, his intention to draw the attention of the House to this enormous discrepancy. He found that on the 26th of November, 1867, the right hon. Gentleman the Member for Buckinghamshire, who was then Chancellor of the Exchequer, used the following words with reference to the Abyssinian Expedition:—

> "We believe it will be necessary that we should incur an expenditure of £3,500,000. . . . In case we have to replace the forces which the Indian Government now lend to Her Majesty, there will be an increase in the Estimate of £300,000, more or less."—[3 *Hansard*, cxc. 191-2.]

He might here state that we now knew that there had been no necessity to replace the forces which the Indian Government had lent to Her Majesty. The right hon. Gentleman went on to say—

> "I have seen the most absurd estimates on that head (the expenditure) in the public papers."

Now, he (Mr. White) was responsible for the reports that had got into some of the papers with reference to the probable expense of the Abyssinian Expedition. He was then led to believe, and he did not hesitate to avow it, that on the scale on which the Indian Government had embarked, if the expedition were to continue to the end of May the expenditure would amount to £7,000,000, and that that estimate was under the mark was proved by the fact that the former expenditure together with the demand to be made that night, would reach the sum of £8,600,000. The right hon. Gentleman then went on to say—

> "The whole amount that would be required would be £3,800,000, but the Government would contemplate the possibility of an expenditure, in round numbers, of £4,000,000."—[*Ibid.*]

Well, the House was aware that a Resolution was carried on the 29th of November, 1867, that the—

> "Pay of European and Indian troops employed, as also the ordinary charges of any vessels belonging to the Government of India, were to be chargeable on the revenues of India."

And, therefore, any expenditure so incurred would be plus the amount paid by the Indian Government. He also found that in answer to an inquiry from the present Under Secretary for Foreign Affairs (Mr. Otway) the right hon. Baronet the Member for Droitwich (Sir John Pakington), then Secretary for War, informed the House that a Treasury officer had been sent out to audit the general expenses. That was on the 2nd of December, 1867—the date was important—and a few days afterwards, when the same inquiry about expenditure was made, and it was alleged by the hon. Member for the King's County (Sir Patrick O'Brien), on the authority of a distinguished officer who had served in Afghanistan, that if our stay in Abyssinia were protracted beyond April the expenditure would be more nearly £10,000,000 than £4,000,000, no notice was taken of the remark. Then he found on February 20, 1868, in answer to Questions from the hon. Member for Peterborough (Mr. Whalley) and Mr. Darby Griffith, the Chancellor of the Exchequer said—

> "I have no reason whatever to believe that the general Estimate I put before the House has been exceeded."— [3 *Hansard*, cxc. 989.]

Then they came to the 16th of March, 1868, when the Chancellor of the Exchequer, who was then the right hon. Gentleman the Member for North Northamptonshire, in answer to Questions from the hon. Member for Truro (Captain Vivian) and the present First Lord of the Admiralty, said—

> "My right hon. Friend the First Minister of the Crown stated in November last that it was estimated that if the expedition lasted, as was anticipated, to the end of April, the expenditure would amount to £3,500,000, and in certain eventualities it might extend to £4,000,000. . . . I believe, up to the time I am speaking, the expenditure in Abyssinia will be covered by the lower of these two amounts."—[*Ibid.* 1684.]

On the 3rd of April the House was favoured with an Estimate from the India Office. The right hon. Baronet (Sir Stafford Northcote) laid on the table an Estimate of the probable expenses of the expedition, and in reply to a question said that the Estimate had been prepared by a competent and trustworthy person. According to the Estimate which was laid on the table of the House, the charges in India and England were put at £5,000,000, and the following note was appended:—

> "That sum is considerably in excess of the amount shown in Mr. Turner's Estimate to the end of April, 1868, after allowing for the additional month's expenditure; but it is stated by Mr. Turner (the officer of the Treasury sent out by the Home Government) that his Estimate has been framed on incomplete data, and that he has preferred to give totals which will doubtless prove to be considerably under the actuals, when brought to account, than otherwise."

He found, too, that Major General Jameson, auditor, signed the India Office Estimate and wrote, on the 12th of March, 1868—

> "Providing the expedition terminates on the 31st of May, it would not be safe to ask for less than £3.000,000" (£2,000,000 having been already voted, thus making up £5,000,000 in all) "and there are charges which cannot at present be estimated, such, for instance, as the railways, telegraphs, &c. If continued beyond the 31st of May next, it would be safe to estimate a further charge of £600,000 for every month beyond that date."

On the 23rd of April, the Chancellor of the Exchequer, in his Financial Statement, said—

> "We estimate the total expenditure for the Abyssinian Expedition, supposing it is successful, and supposing, as we have reason to hope, that it leaves the country by the end of May, at £5,000,000."—[3 *Hansard*, cxci. 1165.]

When he reminded the House that on the 13th of April Magdala was taken, and on the 17th of the same month the troops were making preparations to return, he thought he had reason to inquire why there should be such an enormous discrepancy between the original Estimate and the actual disbursement? He had placed the facts before the House, and he would leave them to speak for themselves. He held it to be a disgrace to our country that an official Estimate should be not merely erroneous, but absolutely deceptive, and that such gross mis-statements should have been made by persons who were alleged to be quite competent to give correct information to the House. It was not for him to say who was to blame, or on whom the discredit was to fall, whether on the Treasury, the War Office, or the Indian Department. It would, he thought, be expedient to inquire into that matter, and affix the blame on those to whom it justly belonged; for it would detract very much from the administrative prestige of this country when it could be said that, merely to accomplish the object they had in view in sending out the Abyssinian Expedition Great Britain had spent more money than Prussia did in conquering one of the greatest European Powers—Austria.

SIR GEORGE JENKINSON said, the hon. Gentleman (Mr. White) had said that he should wish an inquiry to be made with a view to settle the responsibility of the expenses of the Abyssinian Expedition, and he (Sir George Jenkinson) would suggest that the inquiry should be extended into the causes that led to the commencement of the Abyssinian War, and the mismanagement, if any should be proved, of those who caused the war. In the interest of England, they ought not to attempt to discredit an expedition begun in ignorance of the difficulties with which it might have to contend, and brought, in the eyes of all men, whether at home or abroad, whose opinion was worth anything, to the most auspicious termination. The Government who decided on that expedition did so, he believed, with the greatest possible forethought, and the General, under whose command it was placed, conducted it to so successful an issue, almost without any loss of life on their side, that he thought they ought to congratulate themselves on its exceedingly happy result, and, without cavilling at what they had to pay for it, only be thankful that they had not to pay any more.

SIR STAFFORD NORTHCOTE: I am not quite sure that the moment at which the hon. Member for Brighton has raised this question is the most convenient one for its discussion. Certainly, I feel myself under a disadvantage, because we have not yet heard, what I suppose we shall hear as soon as we are in Committee, what the account or explanation is of the further sum for which the Government have to ask; and I have no doubt they will be able to state to the House that which we are unable to supply—what are the circumstances which, so far as they are informed of them, have led to this extra expenditure. If we were informed of the nature of the extra expenditure, we should be in a better position to offer, or attempt to offer, some explanation regarding it. However, there is no doubt that the hon. Member for Brighton is perfectly right in calling the attention of the House, at whatever moment he may think most expedient, to the great difference between the Estimate originally formed of the expense of this expedition, and the actual out-turn of which we are unfortunately aware. It is perfectly true that at the beginning, in November, 1867, the right hon. Member for Buckinghamshire, speaking then as Chancellor of the Exchequer, told the House that what was required was an immediate Vote of £2,000,000, and that, probably, if the expedition lasted till about the end of April, a sum of £1,500,000 or £2,000,000 more would be requisite. Now, what was the state of our information at the moment when my right hon. Friend was addressing the House? At that moment, the expedition had not, I think, actually left the shores of India; at all events, we had received no information of its having done so, and it had not yet reached the coast of the Red Sea. A very small pioneer expedition had gone out for the purpose of inquiries, and it was then impossible to estimate with any accuracy what the demands of the enterprize or the nature of the country would be beyond the coast from which the troops would have to advance. I believe that the Estimate of £2,000,000, formed with the idea that it would be sufficient to place the force on the coast, was a fair estimate; and, so far as I know, it has not been exceeded. With regard to the remaining portion of the Estimate, it certainly was of a very vague and loose character, based on a general reckoning of the cost of men in the field, assuming that supplies were easily to be obtained, and the country, or the greater part of it, tolerably accessible to troops. What I wish to call the attention of the House to is this—we must not take so much notice of casual Questions asked and answered as best they might be in a casual manner.—What the House has a right jealously to look at is the information that was supplied to it when it was called upon to vote money. Was the House truly informed by the Government of the state of the circumstances in which that request was made, and was it put in possession by the Government of all the information which they then had? That is the first question. Was anything kept back from the House? because, if anything was deliberately kept back, of course a serious charge might be made against the Government. As to whether the Government ought to have had better information, that is a question which we will enter into presently. But as to keeping back information, my right hon. Friend told the House all he had to tell it, on November 26, 1867, when he said that £2,000,000 would suffice to place the force on the shores of the Red Sea, and that perhaps £2,000,000 more would be needed. All I can say is that in naming that sum he exceeded what the authorities of the India Office, framing the best conjecture they could, led him to expect; and he observed to me afterwards that he had thought it right to put it at a rather higher sum, in order that it might cover all the possible expenditure. When the force landed the state of things was different from that on which we could have calculated. The country through which it had to march was one of the most impracticable and extraordinary that could be conceived. Not only that, but it was barren of supplies naturally, and it so happened that in that particular season it was barren in an exceptional degree, owing to the failure of the crops. It also turned out that the supply of water was less than we had any reason to suppose, and the water required for the force had to be got by the necessarily expensive means of condensing engines. That all added to the cost. The great object of the Government in sending out the expedition was this—knowing that we had a great task in hand—knowing that the honour and credit of the country were deeply involved in it—knowing that when we placed the troops there it was our duty to take every precaution for their well-being, we determined to spare no expense in carrying through the expedition at the smallest cost of human life and suffering, and with the utmost possible despatch. We were pressed for time—the difficulties were considerably greater than had been anticipated; but I believe no unnecessary expenditure was incurred or step taken in attaining our great object. At all events, we have the great satisfaction of knowing that the expedition was carried through in a perfectly successful manner, with the smallest possible sacrifice of human life or suffering. No doubt we discovered after a time that the expenditure was running up and was far more than we had been able to calculate; but there was a difficulty in getting correct information as to what the real rate of that expenditure was. And when my right hon. Friend the late Chancellor of the Exchequer (Mr. Hunt) came forward to ask what was necessary for the Supply of the year, the hon. Member for Brighton (Mr. Fawcett) asked me whether we were prepared to state that we could give an Estimate which might be relied upon. I will call the attention of the House to the words in which I answered that Question before the Budget statement was made, in April, 1868. My answer was this—

> "The accounts received from Bombay are, I regret to say, neither so full nor so accurate as I could have wished. They have, however, been placed in the hands of a gentleman of great experience in connection with military expeditions, and he has been engaged in making an Estimate which may be relied upon as much as any Estimate of the kind can be."—[3 *Hansard*, cxci. 1148.]

It was also stated in the printed Paper laid on the table at the time to which the hon. Gentleman referred that—

> "The information available here for the preparation of an Estimate of the expenditure on account of this expedition is very insufficient, although repeated applications have been made to the Government of Bombay on the subject. An Estimate has, however, been prepared in this office, which must be regarded as approximate only, from which it appears that the charges in India and England to the end of May, 1868, will probably amount to about £5,000,000."

From that statement, and the answer which I gave, I think the hon. Gentleman must have been fully cognizant that we were not able to give an Estimate with any degree of accuracy, and that considering the extraordinary circumstances of the expedition and the very imperfect information which we could get, or which the Bombay Government at the time could collect, it was really impossible for us to give any Estimate that could be absolutely relied upon as to the total expenditure. Nor did we attempt to do so. We stated to the House that the expenditure might be taken at the rate of about £600,000 per month, and we gave the details of that £600,000. I shall be glad to hear whether those details were in any degree inaccurate, or whether the excess of expenditure was not greatly attributable to circumstances which arose after the period up to which our calculation was made. The length of time occupied in carrying the troops back to India, the expense of transports, and other circumstances, I have reason to believe, much exceeded anything that we had a right to calculate for. In saying this, I am not objecting to inquiry. It may throw light on the costs of a war, and in regard to the cost of wars I think we cannot have too much information for the guidance and warning of the House before we allow ourselves to be placed in a position in which wars become necessary. I hold it to be very desirable that we should have the fullest information as to the nature of the expenditure and all its details; but I entirely repudiate on the part of my Colleagues and myself the charge of placing Estimates before the House which were in any degree consciously inaccurate, or for which we ought in any degree to be blamed. We asked for no money after the date of the 23rd of April, though, of course, soon afterwards we saw that more money would be required. We could not get information enough to enable us to come down to the House with a full and complete statement, and we thought it better to wait till we could do so. The hon. Member for Brighton has taken up a position which it is quite right a Member of this House should take, and charge with the appearance of *laches* or faults the Government who had presented Estimates which happened to be greatly exceeded; but I hope he does not impute to us any want of good faith in presenting those Estimates. [Mr. WHITE: No!] When we have heard the explanation of the Government as to the excess of the Estimate we shall be in a better position to offer our opinions on the subject than we are at present. I trust the House will bear in mind that the Expedition was undertaken under very special circumstances. There was very little time that could be spared, for if we had run over another month or so we should have lost a whole season, in which event the expenses would have been enormously augmented. Besides, we were obliged to take precautions against contingencies, which, as it turned out in the result, did not occur. For instance, although we believed that the expedition would terminate before the end of the season, it was possible that it might not, and then the troops would have been left there in a state of great embarrassment, as everything they required had to be sent from a considerable distance. We, therefore, accumulated stores, which would have carried the army over another season if they had been detained there; and no doubt that accumulations of stores and their transport constituted one great cause of additional expense. In various other ways extra precautions were taken which swelled the expense beyond what might, strictly speaking, have been fixed as the limit. I hope we shall now go into Committee and hear any explanation which the Government may be able to give us. When I was at the India Office we were continually urging the Government of Bombay to send us full information, but as they had to obtain information from Calcutta, and from the officers sent to Syria and other parts of the coast of the Mediterranean and elsewhere, it was extremely difficult for them, with the great pressure on their resources necessary for the organization of the expedition, to comply with our demands for Returns and information. Before sitting down I must express my opinion that the Government of Bombay deserve great credit for the manner in which they organized the expedition, and that in particular Sir Seymour Fitzgerald is entitled to greater credit than he has obtained for his great exertions and personal labour.

HAMMERSMITH BRIDGE.—THE UNIVERSITY BOAT RACE.

QUESTION.

VISCOUNT BURY wished to ask the Secretary of State for the Home Department a Question of which he had given him private Notice. He did not know whether the attention of the right hon. Gentleman had been directed to a letter which appeared in *The Times* a few days ago signed by Mr. Lambton Young, the secretary of the Royal Humane Society. The members of that society had reason to entertain grave apprehensions that the state of Hammersmith Bridge was such as might lead to a fearful accident on the occasion of the forthcoming boat race between the Universities of Oxford and Cambridge. It might not, perhaps, be generally known that the bridge was built fifty-two years ago, and was intended to be a specimen of lightness and elegance. The Humane Society had reason to believe that the chains of that bridge were not of such a form or description as would guarantee stability and strength, and that, moreover, the iron employed in the construction of the chains had become granulated. Now, hon. Members were aware that any sudden strain on iron was very apt to cause it to snap, whereas it would bear the same weight if spread over it uniformly with perfect security. Everyone who had witnessed the Oxford and Cambridge boat race knew that great numbers of people assembled on Hammersmith Bridge, and when the boats passed under it they swayed from side to side and made the bridge oscillate in a manner frightful to behold. Before the ensuing race, which was fixed for the 17th inst., he thought the Government ought to take some steps in order to ascertain whether the bridge was safe or not. He would therefore ask the right hon. Gentleman whether he had any objection to send an engineer officer or civil engineer to examine and report upon the condition of the bridge; and if it were found to be insecure, whether the right hon. Gentleman would take steps to replace the iron rods by others which were perfectly safe. If, however, this were impracticable, he would suggest that policemen should be stationed at the bridge to prevent a very large crowd from going upon it on the day of the race. If immediate action were taken, it was possible that new rods might be placed so as to strengthen the structure and remove cause for apprehension?

MR. BRUCE: I think my noble Friend is quite justified in bringing this matter forward, in order that precautions may be taken to prevent what would be a great public calamity. I will undertake to communicate immediately with the Board of Trade, who, I believe, have at their disposal an engineer who is competent to make an inquiry; and such inquiry shall be immediately made.

VISCOUNT BURY hoped the result would be made public.

MR. BRUCE: It will be made public as soon as the report is received.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

ABYSSINIAN EXPEDITION.

SUPPLEMENTARY VOTE.

SUPPLY—*considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson, I have delayed as long as possible bringing this matter before the Committee because I hoped to be able to accompany it with a more satisfactory explanation than, unhappily, I am at present in a position to make; but as it is necessary that the business should be gone through before Easter, I hope the Committee will accept that circumstance as an excuse for my coming before them so imperfectly prepared to answer the questions which may be reasonably asked of me with regard to the details of this expenditure. I have received no further official information from the Indian Government since the telegram of the 17th of December, and the information—such as it is—that I possess, is compiled from very rough accounts sent home to us by Mr. Turner—the gentleman who was sent out from this country to superintend the expenditure in India. It is necessary, however, that the Indian Government should be re-imbursed some portion, at any rate, of the expenditure without any further delay; and that is my excuse for coming to the House more imperfectly provided with information than is desirable. The payments actually made for the expedition to Abyssinia—and in stating this I stand on a sure ground—are as follows:—The War Office has expended £461,000; the Admiralty has expended £1,262,000; the Government of India (according to Mr. Turner's estimate) has expended £7,040,000; and the total expenditure, therefore, adding these sums together, amounts to £8,763,000. Having stated the payments which we have some knowledge of, though I cannot undertake to state that the sum said to have been paid in India is the whole payment—I have no doubt it will amount to as much as that, but I cannot say whether it will not be more—the Committee will, I think, like to have a rough Estimate of the heads of expenditure under which this money will be brought to charge. This Estimate is taken from very rough accounts furnished to us by Mr. Turner from Bombay, and can only be taken as a general approximation. Now, this is what has been furnished to me, and it is the only information I am able to give with a view of satisfying the very reasonable curiosity of the Committee. Staff pay and batta (which does not mean the pay of the soldiers, but the extra pay they received while on foreign soil), £319,000; stores and supplies, £563,000; mules, camels, and forage (not including sea transport), £1,400,000; land transport—namely, the transport in Abyssinia and the railway and transport to and from Magdala, £1,345,000; sea transport, £4,232,000; coals, £581,000; miscellaneous, £160,000; making a total of £8,600,000. That is the amount, as far as we can ascertain, of the expenditure for the Abyssinian Expedition. Of this sum £5,000,000 has been provided for by a tax of 1*d.* on income in the year 1867-8, and by an addition of 2*d.* to the income-tax in 1868-9. It is necessary, therefore, that we should provide a further sum of £3,606,000. My duty is to ask the House to-night to grant the means of paying that sum; but how that sum is to be met is a question which, if I may be permitted to do so, I would rather reserve till I make my Financial Statement. All I ask at present is that we may be enabled to pay the money, which is, of course, greatly needed by the Indian Government, which had made such heavy disbursements on our account. The army and navy expenses we know exactly. They amount altogether to £1,723,000. The rest we know only approximately; but it is not likely to fall short of the sum which I have mentioned. I only hope it will not much exceed it. It is not my business, in making this Motion, to do more than merely state the facts of the case as far as I know them. There will be a deduction from this sum on account of certain savings in the War Department of £157,000, which will reduce the amount to be provided for to £3,606,000, and the Resolution I have to submit to the Committee is one authorizing that expenditure. I have, I think, nothing to add beyond the remark that these accounts are in some respects more meagre than I could have wished, while they are in other respects more full than I anticipated. The right hon. Gentleman concluded by moving the Resolution of which he had given notice.

Motion made, and Question proposed,

"That a sum, not exceeding £3,600,000, be granted to Her Majesty, towards defraying the Expenses of the Expedition to Abyssinia, beyond the ordinary Grants of Parliament for Army and Navy Services."

MR. HUNT said, that the hon. Member for Brighton (Mr. White) had alluded pointedly to a statement that he (Mr. Hunt) had made to the House in his official capacity, and, therefore, he felt called on to say a few words on the subject. His right hon. Friend (Sir Stafford Northcote) had fully explained to the House that the Government of the day had placed before the House all the information that they possessed; and for himself he could only say that he had never kept back anything from the House, but gave it all the information he possessed. His right hon. Friend had explained the great difficulty which there was in obtaining reliable Estimates of the expenditure. It was obvious that as the expedition had to be fitted out almost entirely in Bombay, it could not be estimated for in the same way as one sent out from this country. He had also explained the shortness of time that there was for furnishing the expedition caused great difficulty in communicating between this country and India. Last year when they laid the Estimates on the table they asked for £3,000,000, they acted on the best information they could then obtain, and the statement that they could not then obtain better information was fully borne out by what had just been stated by the Chancellor of the Exchequer, who told them that he is even now able to furnish but a mere skeleton account of the expenses incurred. So far from being informed when they proposed the Estimate for £3,000,000 that it would be insufficient, he was, he believed, correct in saying that it was not until the 10th of August that the late Government received any information of an official character from India that led them to suppose that the Estimate would be exceeded. After Parliament had adjourned they were informed by Mr. Turner that, according to the best calculations he could make, the expenditure in India would be £5,350,000; and on the 9th of November last the India Office informed the Treasury that, according to their calculation, the expenditure would amount to £5,134,000; so that the best information in November fell very far short of the figures which the Chancellor of the Exchequer had just stated. There was a still more remarkable thing. He found from documents, for access to which he was indebted to the courtesy of the right hon. Gentleman, that so late as the 8th of December last—that was after the late Government had resigned Office, but before the new Government had been formed—a telegram was received from India stating that the expenditure to that time was estimated at £5,750,000; and nine days later there was another telegram which stated that the expenditure in India would be £7,000,000. Indeed, down to a very late period their information did not show that the expenditure would be anything like the amount now stated. These facts would entirely exonerate the late Government from the suspicion of having kept back facts which ought to have been stated to the House. The Chancellor of the Exchequer had stated that all the information which he could lay before the House had been furnished by Mr. Turner, a gentleman who had been sent out by the late Government to examine the accounts in India. It was only justice to that gentleman to say, that by the great energy and ability he had displayed, the confidence of the late Government in him was fully justified, and he felt sure that the Chancellor of the Exchequer could fully rely upon that gentleman's figures. It was no doubt an appalling sum that they were now called on to vote, and the excess had come upon himself and his Colleagues by surprise. But there was this consolation, that though like Englishmen they had to grumble and pay, this expedition had been a great success; the philanthropic object in view had been fully attained with the sacrifice of hardly any lives on our part. He hoped that this expenditure, vast as it was, would be the means of saving expenditure in future; for the result of the expedition was to show that the arm of this country was long enough to reach the most remote land where English subjects had suffered grievances which required redress. He hoped that this expenditure would prevent great expenditure in little wars, such as in times past they had had in their Eastern dominions; and that, therefore, the money would not have been thrown away. Should such be the result, they might congratulate themselves that the expedition had been undertaken.

MR. WHITE acquitted the late Government of any intention to deceive the House of Commons. What he complained of was that the Imperial Government should have been so deplorably ill-informed. That was disgraceful to our system of administration. The recklessness, waste, and confusion were almost incredible. Let one instance suffice—They had officers competing with one another in the purchase of mules, and some were sent to places where those artificial productions were not even known. He should be glad to have a Committee to inquire into the whole outlay if the Government thought it expedient. ["Move!"] If, hereafter, he were supported he would move. Even the present Vote did not, he believed, include the whole cost, which would probably prove to be at least £10,000,000.

MR. DENT expressed his astonishment at the meagreness of the information which had been laid before the Committee on the subject. Telegraphic messages had been received from Mr. Turner, but they appeared to be accompanied by no details. He should like to know who had had the power of spending the money.

SIR PATRICK O'BRIEN regretted that the hon. Member for Brighton (Mr. White) had not taken a more practical course by moving for a Committee of Inquiry. When, on a former occasion, he had estimated the cost of the expedition as likely to be £10,000,000, his statement had been received with derision. The fact was there had been great mismanagement in many respects in connection with its organization. Officers had, for instance, been sent out to Barcelona to buy mules who knew nothing of Spanish, while others had been despatched on a similar errand to the Levant who could not speak a word of Italian. To show the anxiety of the House to prevent similar mismanagement, at least for the future, he thought that all the circumstances connected with this large expenditure should undergo inquiry. As an Amendment to the Vote, he begged to move — and he believed that the late Government would for their own honour support him—that a Select Committee should be appointed to inquire into this expenditure.

THE CHAIRMAN said, that the Amendment was not one which could be moved in Committee of Supply.

MR. SCLATER-BOOTH asked Mr. Chancellor of the Exchequer whether any sums would be received in aid of this expenditure by the sale of stores and material which were landed on the coast of Abyssinia in the expectation that the troops might be detained in the country during the summer?

THE CHANCELLOR OF THE EXCHEQUER said, the whole expenditure amounted to £8,763,000. The sum of £157,000 has been received on account of army savings in reduction of the gross amount, which is thus reduced to £8,606,000; and, leaving out the £6,000, we ask for £3,600,000, £5,000,000 having been already paid. I have no information whatever as to the sale of old stores.

SIR PATRICK O'BRIEN, in consequence of the intimation from the Chairman, would substitute for his Amendment another — that the Chairman do report Progress.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Sir Patrick O'Brien.*)

MR. HUNT said, he understood that the examined accounts sent home by Mr, Turner, who had proceeded to Bombay for the purpose, amounted to £4,300,000 of which sum the Indian Government had paid £4,000,000, and that it was not likely that any further accounts would be received until next May. He wished to know whether the Government had any further information?

THE CHANCELLOR OF THE EXCHEQUER replied that the examined accounts, as far as they went at present, amounted to £5,700,000. He could not say exactly when they might expect the remainder.

MR. GLADSTONE: With respect to the Motion for reporting Progress I wish to point out to my hon. Friend (Sir Patrick O'Brien) that I think he can hardly advance by means of that Motion the purpose he has in view. I cannot wonder at the great interest which is shown in this subject; but I do not think my hon. Friend has precisely considered the force of the argument used by the Chancellor of the Exchequer for granting this Vote to-night. The question is not one of incurring expenditure with our eyes open. It is a question of paying a debt which we have already incurred. Whether or not the Government of Bombay deserve all the credit given to them by the Gentlemen opposite I am not prepared at this moment to say. I should like to be very much better informed before giving an opinion on that point. But there is no doubt whatever that this expenditure has been incurred in good faith on the part of the Indian Government, under ample authority from the Government of this country, and the argument of the Chancellor of the Exchequer is that it is not right to keep the Indian Government out of its money for the advances so made. On the other hand, we are now closely approaching Easter. If the Motion for reporting Progress contemplates a considerable delay, we should only fall into the fresh irregularity of throwing this charge upon the expenditure of next year. If, on the contrary, the Motion contemplates a short delay only, we should approach the question in a week or a fortnight under quite as great disadvantages as at present, for we have not the smallest hope of receiving fresh information within any short period. I do not in the slightest degree venture to give any opinion upon the remaining question to which my hon. Friend and the hon. Member for Brighton (Mr. White) have referred, respecting the necessity of examining into this question. That is a totally different matter; but the demand which is reluctantly, though necessarily, made to-night is a demand for money disbursed by those who were acting as our agents, and who are at present out of pocket in respect of these advances. Under these circumstances I hope my hon. Friend will not oppose the grant of this money to-night.

SIR PATRICK O'BRIEN said, that, on the understanding that the Government would give the fullest information they could in reference to the items composing the Vote, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow.*

Committee to sit again *To-morrow.*

PARLIAMENTARY AND MUNICIPAL ELECTIONS.

MOTION FOR A SELECT COMMITTEE.

So much of Queen's Speech at the opening of the Session as relates to Parliamentary and Municipal Elections read, as followeth:—

> "*I recommend that you should inquire into the present modes of conducting Parliamentary and Municipal Elections, and should consider whether it may be possible to provide any further guarantees for their tranquillity, purity, and freedom.*"

MR. BRUCE, in rising to move for a Select Committee to inquire into the present mode of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom, said, the great extension of the franchise which was made during the last Session of Parliament gave universal satisfaction to the country, and the demand that was made to keep down corrupt practices by a more stringent mode of inquiring into them afforded public testimony to the desire of the House of Commons to grapple with a great evil. But the satisfaction of the country will not be complete unless at an early period Parliament gives evidence of its desire to rid our electoral system of evils the greatness of which has long been acknowledged. For years past Parliament has been struggling in a vain endeavour to give to our elections the dignity that should preside over ceremonies of such great importance, to rid ourselves of the taint—which may almost be called a national taint—of corruption in our elections, and above all things to secure to the voter freedom, independence, and the right of bestowing his vote according to his conscience. I will ask the House—I will ask both sides of the House with equal confidence—has the result of our legislation been to secure these objects? Is there, or is there not, reason for that strong and deep-seated dissatisfaction which universally exists upon this subject? From the other side of the House I anticipate the same answer as from this. Everywhere there will be an admission of the evil. The only difference will be as to the remedy which ought to be applied to that evil. The object of the Motion which I have now to make, in accordance with the recommendations in the Speech from the Throne, is that this House should appoint a Select Committee in order to inquire into the best methods of getting rid of these admitted evils. Now, what are these evils? One of the greatest, undoubtedly, is the enormous expenditure at these elections. And here I do not simply speak of that expenditure which has been branded as illegal. For my own part, I consider that the expenditure generally considered legal and legitimate is far more corrupting and far more demoralizing than that which is called by the name of bribery. Direct bribery is confined to comparatively a small number of men, and limited to some portions of the country, there being wide districts that are entirely free from it. It has hardly, if at all, reached Scotland; and we all know that it has not extended into Wales. It is not greatly practised at our county elections, and no inconsiderable number of English boroughs are entirely free from it. It was a kind of hereditary disease in certain localities. The offence of bribery—although in itself a considerable one—is not, so far as my knowledge goes, to be compared in its injurious effects upon our elections with the largeness of the expenditure incurred. A Return moved for last Session, which on the face of it is very imperfect, shows that the admitted expenditure at the General Election of 1865 was no less than £752,000; and I believe that £1,000,000 would be far from defraying the actual expenses. I have no means of comparing the total sum expended in 1865 with that which the election of 1868 cost; but I have some of the Returns for the last election. In North and South Shropshire, the elections cost no less than £20,412. In North Durham, the expenses of one candidate, an hon. Friend of my own, have been returned at £15,302; and, as I observe that in that useful compendium, *Dod's Parliamentary Companion*, my hon. Friend is in favour of a considerable reduction being made in the public expenditure, I am quite sure I shall have him with me in promoting an inquiry as to whether any measures can be devised for introducing economy into our elections. Other Returns of expenditure are as follows:—South Northamptonshire, £10,257; East Staffordshire, one candidate, £6,546; Bradford, one candidate, £7,000, but according to sworn testimony, the amount was £11,000; Westminster, £10,596; Manchester, £13,596; Sunderland, £8,383; Norwich, £7,000; and a comparatively small place like York, £5,952. The effect of all this expenditure is not only further to demoralize a class already lost to all sense of honesty in these matters, but to reach a far larger and more respectable class. It has further the effect of encouraging useless contests merely for the sake of profit to those who had better be nameless. It has the effect of introducing a practice which causes to the electors themselves the greatest annoyance and trouble — the employment of paid canvassers. Of all grievances this is perhaps felt to be the most intolerable by the elector. During what I may call the long agony which preceded the General Election of 1868, I often heard, and I am sure nearly every one engaged in a contested election must have heard, complaints from electors upon the subject, how, when they had announced how they were going to give their votes, they were still made the subjects of pressing solicitations; how they were visited by one side or the other every week or every fortnight, and how every sort of influence that could be supposed to affect their votes was brought to bear upon them; and all this was done, not through the voluntary zeal of persons anxious for the success of candidates, but in most cases by persons who wished to justify the payment made to them or to swell its amount. Another evil consequence of this excessive expenditure is that men of moderate means, although, perhaps, of great abilities, are kept out of Parliament, and we are in danger of being a Parliament of rich men. However much we may profess a desire to see all classes, and especially the working classes, represented in Parliament, we appear to deny it by permitting the enormous expenditure which even the cheapest election entails. If we are in earnest in acknowledging this evil, I hope we shall be equally in earnest in applying ourselves to devise a remedy. Although bribery is a limited and partial evil, the steps hitherto taken to diminish it have been singularly ineffectual. Act after Act has been passed imposing penalty after penalty, fines have been inflicted upon bribers and bribed. You have had disabilities and disqualifications affixed to the offence, and yet little progress has been made in stopping it. Perhaps under the terror of local inquiry the practice of bribery may have been discontinued for a time, but it has been resumed again, and the Returns show that there has been no practical diminution in the amount of election expenses. It may be said we have adopted the most effectual means we can to check it by localizing inquiry; but I think the House will admit, although local inquiry may occasionally have been efficacious, it has proved to be quite inadequate as a remedy. In the first place, what certainty is there, even where bribery has prevailed, that an inquiry will be instituted? There are many reasons why it may not. One is the great cost of an inquiry; and the deterrent effect of such cost does not appear to have been diminished by making the inquiry local. Not only do the expenses of inquiry appear to be very great, but the rule generally, though not uniformly followed, of making the expenses follow the event, even when there appeared to be *bonâ fide* reason for prosecuting the petition, will, I think, be a discouragement to those who wish to contest the validity of an election. Then, again, there is the fear that the case made out may be too good, and that the result will be the disfranchising of the constituency. There is no doubt that that fear has operated in more than one case. Another cause of inaction in these cases is the fear that success in unseating the sitting Member would not be followed by any gain to the petitioners or the parties they represent. All these causes have operated in preventing prosecutions for bribery when bribery was known to have existed. The same may be said of the sister crime of treating. It is an evil the greatness of which must be well known to all who have had any experience of elections. It demoralizes the lower classes, and it is difficult of proof. See what goes on at every election. Committees and sub-committees are formed, and meet at several public-houses in succession, and every encouragement is given to expenditure, the liability for which it is often found impossible to trace. It may be, perhaps, that the treating overflows from the preceding municipal election; but whatever may be the cause, there exists an evil which is a very wide-spread one, and which the great extension of the suffrage is likely to render still more dangerous. The greatest of the evils connected with elections, and one which most vitally affects the great body of the electors, is that of intimidation. I do not deny that there has been a great improvement within my recollection in this respect. Many persons, a few years ago, would have supposed they were only exercising an ordinary right in compelling tenants to vote on their side, or in using influence in the strongest manner over their workmen. I do not deny that all this has been greatly altered; but still that intimidation exists, and exists very widely, and that its influence was greatly felt at the last election no honest and truthful man will, I think, venture to deny, while in many counties, even where it had been perfectly well ascertained that the opinions of the electors were identical, you might put the letter "L" or the letter "C" against the names of the inhabitants of whole villages when you had ascertained whose property they were. Then comes the question as to what extent the employer influences the employed. Now, the amount of the real opposition of this kind is very great, but, no doubt the extent of it is much exaggerated in the minds of the voters themselves. Many a workman imagines intimidation that was never intended, but his fear is none the less real to himself. A great portion of the electors, too, are seriously desirous of doing their duty, but they feel they have duties as regards their families as well as themselves. They say they cannot, for the sake of discharging a political obligation, run the risk of ruining their families and themselves. The consequence is that a very estimable class of men, from want of self-sacrifice, perhaps, withdraw almost entirely from public life and endeavour to strangle in the bud all those manly feelings which would elevate them by cultivating their sense of public responsibility. Again, Sir, it is very easy for those who run no risk to laugh at the fears of tradesmen, but we know what has occurred even at the last election. There are many hon. Members who would be able to state of their own experience that the conscientious performance by a tradesman of his duty as an elector has been followed by the withdrawal of custom he could ill afford to lose. But this sort of interference with the conscience of an elector is, I am bound to say, not confined to the higher classes. I myself have seen pressure brought to bear upon small tradesmen by workpeople themselves, who visit a tradesman and inform him that their custom and the custom of their friends will in future depend upon his supporting a particular man. The evil, therefore, requires to be guarded against upon all sides, and the question for the House to consider is whether any remedy can be found for it. There is one other feature connected with our system of election which I think will be generally condemned; I refer to those scenes of rioting and violence which so frequently characterize a contested election. I know not how the House may regard the matter, but to me nothing is more humiliating than to witness the conduct of the large bodies of men who collect together on days of nomination. There is no inconsiderable number of the humblest of our countrymen who take an earnest and disinterested part in political affairs, and who are willing to make the greatest sacrifice to promote views which they believe to be to the interest of the country; but there is also a large number who look upon an election as an occasion for amusement and wild excitement, and these are the people who come to the front and who make their presence most sensibly felt on the day of nomination and on the day of the declaration of the poll. Well, are these ceremonies a necessary part of our electoral system? Is it necessary there should be a nomination day? Is it necessary there should be a declaration of the poll, at which the candidates must appear? Why, at every other election, and we have several besides Parliamentary Elections—at the municipal elections, at the election of Boards of Health and Boards of Guardians—personal nomination has ceased to be the rule; the nomination is by papers, and the declaration of the poll, instead of being made every hour or so, exciting the electors inordinately, is made, not by the returning officer personally, but by advertisement and placards. In one of our colonies, which has supplied itself with great vigour to the perfection of electoral machinery — Australia—the system of personal nomination does not exist; it has been replaced by that of nomination by papers, and the result is a state of tranquillity which, as compared with our own election scenes, I may describe as truly enviable. Well, Sir, the question we have to ask ourselves is, whether Parliament shall confess itself unable to remove these evils? Is the inquiry I ask for so obviously useless, and must it of necessity be so barren in result, that it ought to be refused? On behalf of the people, I am bound to say there is a deep-rooted conviction that there is an effectual remedy for this. Rightly or wrongly—and I am not going to say whether rightly or wrongly—a remarkable unanimity prevails, and has prevailed for many years, throughout the country among a vast majority of the people in favour of a system of secret voting. Over and over again I have heard the electors express their astonishment that, considering how deep and how general this conviction is, especially on the part of the electors who supported the Liberal candidates, it has not received the sanction of Parliament. Now, I can make that statement as free from any personal motive, perhaps, as any Member in this House. I have sat for the last sixteen years representing an eminently Liberal constituency, where, I believe, every nine out of ten of the electors were in favour of the ballot, and yet, during the sixteen years I have sat in Parliament, I have never voted for or against the ballot. I have not voted for the ballot because I felt the system of open voting had many advantages. I felt that the general moral effect of open voting was to encourage manliness and truth; that the general effect of secret voting was to encourage mystery, which in itself is often an evil. Secret voting, I have always felt, might lead to falsehood. I never doubted that the machinery of the ballot would secure a great improvement in the practices at our elections; it would secure tranquillity, would somewhat diminish bribery, and probably lead to the disappearance of intimidation altogether. On the other hand, my objection to the system aimed at its very root; but I confess that the scenes I witnessed during the last election have made me doubt very much whether, admitting to its fullest extent all that can be said against the system of secret voting, the arguments on the other side are not the weightier. Let me at once meet the chief objection to the ballot which has influenced the votes of most of those who have opposed it in this House; for the evil consequences of secresy have weighed, not only with Gentlemen on the other side of the House, not only with the representatives of the old Whigs, but they have been powerfully urged by many gentlemen whom it would be no offence to describe as advanced Liberals. We know that Mr. Mill has written very powerfully against the ballot. We know that at least two Members whom I may venture to name as advanced Liberals—the Members for Frome and Perthshire, (Mr. Hughes and Mr. Parker)—oppose the system of secret voting as being in itself objectionable. But, admitting what they say, that in every State opinions should be openly expressed, and that public opinion is formed by open expression, and admitting that deceit and falsehood may be resorted to in order to conceal the vote after it has been given, we must look to the ultimate result, and see what would be the effect of the introduction of the system—whether, on the whole, it would be good or ill. This conviction has come to me very slowly, but I will undertake to say, that in less than five years after the introduction of the ballot, the practice of pressing a man for his vote, or even of asking him for it, would entirely disappear. It has been often said that if the ballot were introduced at all it should be optional, but it has been demonstrated over and over again, that optional secret voting is no protection at all to the voter. Electors have said to me, "Give me the power of voting as I please, secretly or openly." I have always replied, "As long as it is in the power of a man who wishes to influence your vote to say, 'You can vote openly if you please, and unless you do, I shall assume you are voting against me;' and as long as it is in the power of a briber to say to the voter he wishes to bribe, 'I cannot pay you unless you vote openly,' the ballot will be useless. To be efficacious it must be compulsory. The vote must be given in secresy, so as that no man shall know how another man votes." And I say now that, under those circumstances, it will be perfectly idle for anybody to attempt to influence the vote of his neighbour by intimidation. The only effect would be to irritate the elector and secure his opposition, and, as I have already said, before five years were over, the system of personal solicitation and personal canvass would disappear; men would learn to swim without bladders; they would become accustomed to act independently, and would not be afraid to express their opinions openly, and that lofty view of Englishmen which is embodied in the line—

"Pride in their port, defiance in their eye"—

instead of being limited to a small number, might be extended to the whole electoral community. If, therefore, to my own satisfaction, and I hope to the satisfaction of others, who, like myself, doubted for a long time as to the propriety of the ballot, I have answered the objection that it was no better than an instrument of deceit and fraud, I feel that the rest of my task will be plain sailing indeed. At elections in Australia personation, so common in America, is not known; and not only is personation unknown, but bribery also has been greatly reduced. Whatever remedy exists against bribery in this country exists equally there, and with superadded guarantees. As for intimidation—that evil which of all others is most felt by the electors of this country—it would, as I have said before, be simply preposterous under the system of the ballot. Now, if it can be demonstrated, as I am informed it can, before a Committee, that all these advantages would arise from secret voting; that the moral evils resulting from it would in a short time be greatly mollified, and at last probably disappear, I have to ask the House to appoint a Select Committee with the object—I avow it openly—of inquiring whether a system of secret voting cannot be devised which will bring security, freedom, and independence to the elector. Sir, I anticipate no opposition from either side of the House. I believe that hon. Gentlemen opposite who distinguished themselves during the late Sessions by their zeal for electoral reform and for extending the rights of voting to such large classes of their fellow-countrymen, who have themselves introduced a measure for giving greater stringency to inquiries into corrupt practices at elections—I believe that those hon. Gentlemen have as great an interest as we have in the honour and character of this House. Now, the honour and character of this House depend entirely upon the manner in which its Members are elected. It cannot be that men who are elected by the power of money or by intimidation can really be regarded by the people of this country as their true representatives. Among us, no doubt, are men who deservedly enjoy the popular favour, and are freely chosen by the popular franchise; but if it is proved to the satisfaction of candid men that persons are sent to this House, not from any merits of their own or by the free choice of the electors, but by individual influence or the lavish expenditure of money, how can the people give us that confidence which they would give if they really felt that we were the true representatives of the country? It is my anxious desire that we should be the country's true representatives, and that by the improved machinery of our elections we should give to this House a character that it has never yet fully possessed; that we should strengthen our Parliamentary institutions, and especially that great representative body upon whom the labour of legislation and the heaviest portion of the government of the people of this country mainly rests.

MR. ROBERT TORRENS said, he rejoiced that the right hon. Gentleman (Mr. Bruce), in his Motion, had coupled municipal with Parliamentary elections, because it was during the former that the corrupt practices of which they all complained were mainly developed and fostered. The machinery of bribery was organized at the municipal elections. He did not wish to detract from the merits of the measure which had been carried through the House last year by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli). He (Mr. Torrens) considered that that measure was a great improvement in their electoral machinery, and a great step towards the suppression of corrupt practices; still there were many circumstances which were not, and could not, be considered when that measure was before them. By the light which had been thrown upon it by recent inquiries, and by the Reports of the Judges, it was clear that the measure was very defective, and had failed in its great object—that of being deterrent. Petitioners ceased to prosecute further inquiries when once they had succeeded in unseating their opponents; in fact, it was not their interest to do so. A great want had been felt in the absence of a public prosecutor, whose duty it would be to take means for punishing all those who, by corrupt practices, offended against the law. The Act, therefore, required considerable amendment in this respect. In transferring the jurisdiction from Committees of that House to the Judges, a great advantage, no doubt, had been gained, because bribery and corruption were at once stamped as a disgraceful offence, which had not been the case before. As he had just emerged from a petition against his return, he was anxious to state the impressions it had made on his mind. These were, first, that the investigation should be made not only into alleged corrupt practices of the winning side, but into the other side also; and, secondly, that it would be well if petitioners instead of merely signing a petition as at present, were compelled to substantiate the allegations on oath. Such an alteration would be a protection to those who, on frivolous pretences, might be subjected to a painful and invidious course of proceeding. He wished to bear his testimony to the successful working of the ballot in Australia. He, like the right hon. Gentleman, had been made a convert to that system. As a Member of the Legislature and Minister of the Government in Australia, he had used every effort in his power to prevent its adoption; but when he saw that system operated as a specific to the evils of which they had complained, and that it was not followed by any of the bad consequences which he had apprehended, he was driven by the force of facts to recant the opinions he had publicly expressed and to acknowledge that he had been mistaken. It was the arguments of the late Lord Palmerston and of Mr. Stuart Mill that had previously convinced, or he would say prejudiced, his mind against the ballot. When he found that the facts in working did not correspond with what they had predicted he began to inquire into their arguments. It was often urged against the ballot that the franchise could not be a right, otherwise a man would be entitled to sell his vote. But there was a fallacy in that argument, because the franchise itself might be a right without necessarily implying the right to sell it. It resembled in that respect many incorporeal rights and easements attaching to the possession of land, which did not carry a right to sell. Those who maintained that the franchise was a trust would do well to consider whether it was not better for the public weal and for the good of those for whose benefit that trust was said to be held that the trustee should be placed by the ballot in a position to exercise his privilege freely and according to the best of his judgment, than that he should be subjected, by the system of open voting, to the corrupt arts of the rich, the intimidation of the mob, or the undue influence of his landlord or employer. In the borough with which he was connected he had been made painfully aware of the degree of pressure which was often applied to some of the voters, and he had no hesitation in saying that the adoption of the ballot would be hailed in many parts of the country with as much satisfaction as the extension of the franchise itself had given; for it was vain to offer people a vote unless they were protected against coercion in its conscientious exercise.

MR. GATHORNE HARDY: Sir, in answer to Her Majesty's gracious Speech the House expressed its readiness—

> "To inquire into the present modes of conducting Parliamentary and Municipal Elections, and to consider whether it may be possible to provide any further guarantee for their tranquillity, purity, and freedom."

To that pledge—given alike by this side of the House and by the other—we are perfectly prepared to adhere; but it must not be taken that we consent to this being made in any sense a one-sided inquiry. My right hon. Friend the Secretary of State for the Home Department has avowed openly the change, or, at least, the maturing, of his convictions during the last sixteen years regarding the ballot, and those convictions have now attained a strength and a permanence which leave no doubt almost as to what effect any evidence which may be obtained on that subject hereafter will have on his mind. In the course, however, of his very able speech I was surprised that, coming as he does from a district which has been disturbed by another kind of intimidation than that to which he alluded, he omitted to notice that kind of intimidation. I refer to the intimidation practised by mobs—a matter which I trust this Committee will take into its serious consideration. That intimidation is exercised not merely at the hustings, but during the polling day. Grievous injury is inflicted on voters by infuriated mobs and property is destroyed for which the sufferer can obtain no redress or compensation because the perpetrators of these outrages cannot be ascertained in many instances, and also because their acts are said not to be felonious. In the county of Monmouth the houses of electors who had voted in a particular way had been picked out with the greatest precision, the furniture they contained destroyed, as I understand, and the houses much wrecked and damaged; but because those outrages are supposed not to have been feloniously committed, no compensation for them can be obtained from the Hundred. I hope, therefore, that care will be taken that the neighbourhoods in which riotous mobs act in that way will be made to suffer, even though their acts may not be felonious. The man who avows his opinions openly will always be exposed to the vengeance of the mob, and, therefore, whether you have secret voting or not, it will be necessary to protect those voters—who will, I believe, always be the vast majority in this country—who are not afraid to avow their opinions. I shall not now enter into the question of the ballot, but will only add that I hope the proposed Committee will be, as far as possible, an impartial one—that it will inquire in an impartial manner into these subjects; and that it will not prove a mere cloak for men who have already changed their minds.

MR. GLADSTONE: I think, Sir, that I am quite safe if I say that I regard the speech of the right hon. Gentleman who spoke last as a very fair acceptance of the proposal of my right hon. Friend When we come to discuss a general Motion of this kind, which involves every part of the procedure connected with the conduct of an election from beginning to end, it is by no means unnatural that the interest of the House and whatever discussion arises should centre round the ballot, because the ballot has been for more years than many persons recollect a subject of the liveliest interest in connexion with the procedure at elections. But undoubtedly it would be a mistake to suppose that the inquiries of this Committee are intended, so far as we are concerned, to be confined to the matter of secret voting, or that the Government, as a Government, proposes this Committee with any view to a foregone conclusion. The purpose of the Committee is this—My right hon. Friend, in the fairest and most ingenuous manner, stated the change that has taken place in his own mind. So far as the ballot goes, I think that in every Liberal Government which I can recollect—I know not whether it has been the same in Conservative Governments or not—but in every Liberal Government which I can recollect, the ballot has been an open question; and my right hon. Friend has very frankly avowed the change which his own mind has undergone on the subject—a change which has, perhaps, reached, or nearly reached, maturity. So far as the collective view of the Government is concerned, it can hardly be said—and I speak under correction—to go beyond this—It is quite evident that the very large extension of the franchise which has taken place has altered—in some cases, perhaps, slightly, in many very greatly and even fundamentally—a number of the conditions under which elections are carried on. This, then, appears to us a fair occasion for examining into the whole subject; and, undoubtedly, as respects the exercise of the suffrage with freedom, that has become a matter, if possible, more vital than at any former time, in proportion to the larger number of persons interested in it. Here, the right hon. Gentleman (Mr. Hardy) says, "I hope the Committee will be allowed to inquire into the intimidation by mobs," Most cordially do I hope so, too; for no doubt intimidation must form one main chapter of this inquiry. The Committee, I hope will endeavour to gain evidence on all these questions—on questions that bear on intimidation by violence, questions that bear on intimidation in other forms than by violence, questions that bear on treating and drunkenness, questions that bear on excessive expenditure, and questions that bear on bribery; these being the chief evils connected with elections. But we must remember that intimidation has a double form; it may come either from above or from beneath. Possibly the more stealthy and subtle form of it comes from above; but it is equally our duty to detect and take effectual securities—if we can—to prevent the intimidation that comes from beneath. As I apprehend, the purpose and formation of the Committee will have to be carefully watched, but its main function will be to collect facts bearing upon the various questions of procedure connected with elections; and undoubtedly, it will also be within its province to consider what are the most appropriate remedies with a view to the diminution or removal of the evils attendant on them. But I think we have no reason to complain of the manner in which the right hon. Gentleman has met the proposal.

MR. GOLDNEY said, the existing state of the law was so defective in respect to riotous proceedings at elections that, even although such proceedings were anticipated, it was almost impossible for the authorities to take steps for providing the requisite protection against them, without incurring expense or loss in their individual capacity. In his opinion the Committee should inquire with respect to the appointment and expenses of special constables, and also as to the power to grant damages for the destruction of property. At present the machinery for that purpose was complex and costly.

MR. EYKYN said, he had heard with the greatest satisfaction the announcement which had been made from the Treasury Bench. He hoped that at the next General Election votes would be recorded by ballot. He was glad that the subject of municipal elections was to be inquired into, for he regarded those elections as a perfect school for corruption.

SIR GEORGE JENKINSON said, it had been pointed out on the other side of the House that election expenses were very heavy in the United States where the system of vote by ballot was in force, This showed that the ballot would considerably increase the cost of elections, both as to bribery and other expenses. He trusted that in any future inquiry the questions of the conveyance of voters to the poll, the introduction of voting places, and the extension of polling papers to every parish, would be duly considered.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the present modes of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom."—(*Mr. Secretary Bruce.*)

And, on March 16, Committee *nominated* as follows: — The Marquess of HARTINGTON, Mr. GATHORNE HARDY, Mr. BRIGHT, Mr. HUNT, Sir GEORGE GREY, Mr. VILLIERS, Sir FREDERICK HEYGATE, Mr. BRAND, Mr. CROSS, Mr. WHITBREAD, Mr. RAIKES, Mr. LEATHAM, Mr. STAVELEY HILL, Mr. LOCKE, Mr. HENRY SMITH, The O'CONOR DON, Mr. GRAVES, Mr. DALGLISH, Sir MICHAEL HICKS BEACH, Mr. JAMES, and Mr. HOWES:—Power to send for persons, papers, and records; Seven to be the quorum.

And, on March 19, Mr. FAWCETT, Mr. EDWARD EGERTON *added.*

BEWDLEY WRIT.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Bewdley, in the room of Sir Richard Atwood Glass, whose Election has been determined to be void."—(*Mr. Noel.*)

MR. MUNTZ rose to move as an Amendment that the issuing of the Writ be suspended for twelve months. He could satisfactorily prove to the House that there were good reasons for taking such a step. Just before the Dissolution, the old House, in a fit of virtue, passed the Corrupt Practices Act, a very valuable measure, under the provisions of which there had been a trial at Bewdley. Mr. Justice Blackburn, who presided at the trial, stated that corrupt practices had prevailed extensively in the borough of Bewdley, and the result was that Sir Richard Glass, who had been returned as its representative in Parliament, was unseated. Now, if this had been the sole instance of corruption at Bewdley there might have been some reason for allowing a new Writ to be issued; but, in point of fact, it appeared that the normal condition of Bewdley was corruption and treating. In 1848, a Committee of that House unseated Mr.

Ireland on account of corrupt practices and treating; and that Committee passed the following Resolution, dated the 17th of March, 1848:—

"That it has been proved before the Committee that the practice prevailed in the borough of Bewdley at the last Election, as well as at that of 1841, of carrying away and treating electors, and that in consequence of this system large bodies of men were employed on both sides for the alleged protection of voters; and that almost every public-house and beer-house in the borough was kept open during a week, and drink given away to a large extent."

These charges, which were proved in 1841, and again in 1848, were once more substantiated in 1868, and the evidence given before Mr. Justice Blackburn would have been much extended, but for an apprehension that it might lead to the borough being disfranchised. In his opinion, it was clear that this incorrigible little borough did not deserve to have any representative in Parliament for the present. By suspending the Writ for twelve months, the House would assert its own dignity and its determination to preserve the purity of elections, while at the same time the electors of Bewdley would have leisure to reflect on the fact that the franchise was not conferred upon them in order that they might sell it for a glass of beer or a mess of pottage. The unseating of Sir Richard Glass had been no punishment to the borough. On the contrary, the electors were revelling in anticipation of new bribes and more beer. He (Mr. Muntz) had been informed that the respectable inhabitants on both sides were desirous of having the matter brought before the House, and he trusted that his Amendment would be passed as a terror to evil-doers. In conclusion, he moved that the issuing of a New Writ for the borough of Bewdley be suspended for twelve months.

MR. MUNDELLA, in seconding the Amendment, said, he had been assured by respectable inhabitants of Bewdley that a fair and a free election could not be at present held in that borough, because the large outstanding claims of publicans would exercise great influence in the choice of a Member. The borough did not contain more than 7,000 inhabitants, and he had been assured that from time immemorial it had been notoriously corrupt. Another reason for postponing the issue of the Writ was that they might now hope to have a complete change in the mode of conducting elections, and he trusted that the House would not so far stultify itself as to issue the Writ immediately after the able speech of the Secretary of State for the Home Department.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Writ for the Borough of Bewdley be suspended for twelve months,"—(*Mr. Muntz,*)

—instead thereof.

MR. BREWER said, he hoped that, in an aggravated case of this kind, the House would exercise severity; and that it would vindicate its own consistency by suspending the Writ. If it were at once to issue the House would be looked upon out-of-doors as not being so sincere as it might be in its efforts to put down corrupt practices.

SIR JOHN PAKINGTON: I trust, Sir, we shall hear from the Attorney General what the views are which he entertains with respect to the issue of this Writ. I would, moreover, express an earnest hope that whether we decide on issuing or not issuing a Writ in any of the various cases on which the Judges may have reported, our decision will in no degree be influenced by considerations as to what political party is likely to gain the vacant seat, for it is most important to the character of this House, and to the working of the new system of trying Election Petitions, that such should not be the case. I should wish to remind the House that, after having just issued a new Writ for Bradford, no sufficient reason can be urged why we should not take the same course with respect to Bewdley. Let me, for a moment, call the attention of hon. Members to the very strong Report of the Judge who tried the Bradford Petition with respect to the existence of treating in that borough. I find from that Report that Mr. Baron Martin arrived at the conclusion that, in one of its wards, corrupt practices on the part of the agents of Mr. Ripley prevailed to a great extent, and that upwards of 100 public-houses were open in his interest. The other Member petitioned against—the right hon. Gentleman the Vice President of the Committee of Council on Education—was no doubt declared by the Judge to have been properly elected, but the evidence, even in his case, went to show that the extent to which public-houses were open in the borough was very great. Now, how do matters stand with regard to Bewdley? It appears that a practice prevailed there which we must all condemn—the practice of employing a number of voters as watchers. That practice has been very strongly condemned by the high authority of Mr. Justice Blackburn, and the gentleman who was returned at the head of the poll lost his seat, so that I hope a recurrence of the practice need not be much apprehended. In the last sentence of his Report, I may add, Mr. Justice Blackburn states that there was no reason to believe that bribery extensively prevailed at the late election for Bewdley, and in the face of such a declaration it would not, it appears to me, be in accordance with the usage of Parliament to suspend the Writ for that borough. I trust the House will see the propriety of concurring in this view.

MR. DIXON said, that in the case of Bewdley the Judge had reported that there had been three distinct cases of bribery; that indirect bribery had extensively prevailed by means of the employment of watchers; and that treating was rife in the borough. Now, it was against the latter description of corrupt practice that the House had chiefly to guard, for while bribery appeared to be diminishing in this country, treating seemed to be on the increase. It had not been shown that treating existed in Bradford before the last election. In that case, indeed, he believed it was exceptional, whereas nearly every public-house in Bewdley had, if he was not mistaken, been thrown open during the election, and, moreover, the practice of treating had existed there almost from time immemorial. Indeed, so bad was the state of affairs that some of the more respectable of its inhabitants had expressed to him a wish that the borough should cease to be represented in Parliament. He was of opinion that the very least the House could do under those circumstances was to suspend the issue of the Writ for a year, while he also thought the Government might with great propriety be asked to issue a Commission. If the Writ, at all events, were not suspended the country would have much reason for supposing that the House of Commons was not sincere in its desire to put an end to corruption.

Mr. YOUNG said, he once sat for a large borough of 40,000 inhabitants (Yarmouth) which Parliament had disfranchised for corruption; and that, at the time, was regarded as a harsh measure. As Bewdley had sinned more than once, and had been reported against over and over again, he thought that to suspend the issue of the Writ for a year was a very mild punishment indeed.

Sir ROUNDELL PALMER: I very much agree, Sir, with what fell from the right hon. Baronet opposite (Sir John Pakington), to the effect that nothing can be of greater importance in these cases than that the House should proceed as far as may be judicially and consistently, without regard, or even the appearance of regard, to party interests. It is much more important that the House should do that, than that it should endeavour too anxiously to secure the credit of being sincere in its efforts to put down corruption; for I do not doubt the public will believe the House to be sincere in that respect, if it is consistent in the general tenour of the course which it takes with that object. I was, I must confess, very much impressed by the remark of the right hon. Baronet (Sir John Pakington), that it would seem somewhat extraordinary to the public out-of-doors, if we were to refuse to issue a Writ for Bewdley immediately after assenting to the issue of a new Writ for Bradford. Although the Reports of the Judges who tried the two cases are not drawn up in exactly the same terms, there is no very serious difference in the substance of the two Reports. Each speaks of extensive treating by the opening of public-houses. At Bewdley, also, the Judge reports the improper employment of men called watchers, but the Report expressly says that the Judge was not of opinion that extensive bribery prevailed. [An Hon. Member: "Direct" bribery.] For my part, if I could have agreed in the Motion of the hon. Member (Mr. Muntz), I should not have agreed to the Motion for the issue of the Writ in the case of Bradford. But the issue of the Writ for Bradford was justified by this consideration, which, in my opinion, should chiefly govern the House in dealing with these cases. Some time ago it was more frequently than it now is the practice of the House of Commons to suspend the issue of Writs, when the House had no definite purpose of taking ulterior measures for the punishment of boroughs. It was felt, however, that the assumption by this House of an arbitrary power to keep a constituency out of its share of the representation for some indefinite period, without any intention of resorting to ulterior measures, was dangerous and in some degree unconstitutional; and I have always understood, that it was very much for that reason provided, that when a Committee of this House should report that extensive corruption had prevailed at a particular election, and that there was reason to believe this corruption to be habitual, a Commission should issue to inquire into the fact, in order that if it were judicially established Parliament might found upon the Report future measures for the disfranchisement of the borough. Now the question is whether, in the case of Bewdley or Bradford, the Report of the Judge was a Report of such a nature as, under the Act of Parliament, ought to be made the foundation of a Commission to inquire into the prevalence of corrupt practices. If so, then let the Attorney General, with whom the responsibility rests, move the House to issue such a Commission. Should that be the opinion of the Attorney General, I, for one, should be perfectly prepared to support the Motion; but if, in the exercise of his judgment and upon his responsibility, he is not able to inform the House that the Judge has made such a Report as, according to the spirit of the Act of Parliament and the practice of the House, would warrant the issue of a Commission, then I am not prepared to agree to the re-assumption by the House of the arbitrary power of inflicting punishment upon the constituency at its discretion, for a time limited by itself, without contemplating the kind of judicial inquiry which the law provides, and with no other purpose than that of issuing the Writ at the end of a year or so. Had the hon. Member moved for a Commission he would have been taking a perfectly constitutional course, and would have only had to satisfy the House that the facts were sufficient to justify such a course. I shall wait to hear what is said by the Attorney General, who has, no doubt, looked into the evidence more carefully than I have done. But looking only to the Report of the Judge, it does not seem to me to be of such a character as would justify, under the Act of Parliament, the issue of a Commission with a view to the possible disfranchisement of the borough. In short, if there is no case for disfranchisement the House will be taking into its hands a dangerous power, liable to great abuse, and liable to the suspicion, just or unjust, that it was exercised for party purposes.

THE ATTORNEY GENERAL said, that as he had been directly appealed to from both sides of the House, he would state in a few words the opinion he had formed upon the subject. He had thought it right that the evidence in this case should be laid upon the table, because the Report of the Judge was a special one. Having read that evidence very carefully, together with the judgment of the learned Judge in reviewing the evidence, he was bound to say it appeared to him that the Judge's Report and judgment were entirely in accordance with the evidence. As to the practice of the House, after careful inquiry, he had not been able to discover that a Commission had ever been issued upon a Report of a Committee corresponding to that of the Judge in the Bewdley case. No Commission had issued, except in cases where there was reason to believe that bribery had prevailed to a great extent, and where there was a strong *primâ facie* case for disfranchisement. Now, the effect of the evidence and the Report here was that there had been no bribery whatever—at least, no direct bribery. The Judge reported that there was a habit of employing watchers, which, although no doubt an objectionable practice, did not, in his opinion, amount to direct bribery. The Judge further reported that there had been extensive treating, but that it was confined to one side; and on the other side there was no treating. These were the facts stated in the Report of the Judge, and it was for the House to say whether, on such a Report, there was a *primâ facie* case for the disfranchisement of the borough. His opinion was that there was not such a case, and, that being so, there would ordinarily be no Commission. Then came the question—Ought the Writ to be suspended? Now, he agreed with his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), that Writs ought not to be suspended arbitrarily by way of punishing a borough. They ought only to be suspended—and in general they had only been—with a view to inquiry into the existence of corrupt practices. He did not, therefore, see his way either to the issue of a Commission or the suspension of the Writ. At the same time, he hoped it would not be supposed that the Government were indifferent to the prevalence of corrupt practices as disclosed in the recent inquiries. On the contrary, he had himself moved for the evidence in those cases, and he should probably even have to move for the issuing of a Commission in one or two other cases; but he thought there did not exist in that instance sufficient ground for the issuing of a Commission or for suspension of the Writ.

MR. P. A. TAYLOR said, he thought that that was a question which ought to be decided on the broad principle of common sense, and not with a reference to mere legal technicalities. It had been asserted, and it was not denied, that gross bribery and treating had prevailed at the late election at Bewdley; that there was a party in the borough who were anxious for the issuing of the Writ in order that they might again resort to corrupt practices; and that the best and most respectable portion of the inhabitants desired that the Writ should not be issued. Under these circumstances he believed they should best consult the dignity of the House by not issuing the Writ.

MR. COLLINS said, he hoped the House would act judicially in this matter. It was a condition precedent to the issue of a Commission that a Committee of the House of Commons should report that bribery had extensively prevailed. This was not like the case of Bridgwater. Here, the Judge had stated that he had no reason to believe that direct bribery had extensively prevailed. If questions of this sort were to be decided by catch votes of this House, and not upon the Reports of the Judges, the effect of those Reports would be materially weakened, and it would be said out-of-doors — though he did not assert that hon. Members were actuated by such feelings—that the House had issued the Writ in the case of Bradford, but would not issue one in that of Bewdley, because there was reason to believe that the result of the Election would be different in the two cases.

MR. BRUCE said, the discussion which had taken place had satisfied him more than ever of the expediency of appointing a Select Committee to inquire into the mode of conducting Elections. The Motion of to-night had arisen from the want of an appropriate punishment for offences like this. The Government had carefully considered the expediency of issuing a Commission in this case, and, after great hesitation and doubt, had come to the conclusion that, considering the statement of the Judge, that direct bribery had not prevailed at the election; considering, also, that one of the contributory boroughs — Stourport —was absolutely free from bribery or treating, which was confined to one party within the borough, who had thrown open twenty-five or thirty public-houses to the lowest of the population, the case did not seem to be one for a Commission with a view to disfranchisement. He should be glad to supply an omission in his earlier speech by stating that in his opinion some middle course might be taken in cases not so clear and strong as to justify the appointment of a Commission with the view of possible disfranchisement, and that was to throw the whole cost of the petition inquiry upon the borough, so that all its inhabitants should suffer alike, and in that way perhaps a public feeling against corrupt practices might be created. He hoped that suggestion would be considered by the Select Committee. In the mean time it did not appear to him that the middle course proposed to be taken in this case was a just or right one. He could easily understand a great difference of opinion as to whether a Commission should issue or not, but it did not seem to him that the suspension of the issue of a Writ for twelve months was a course consistent with the dignity of the House.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 128; Noes 65: Majority 63.

Main Question put, and *agreed to.*

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Bewdley, in the room of Sir Richard Atwood Glass, whose Election has been determined to be void.

CONTAGIOUS DISEASES (ANIMALS) (No. 2) BILL.

Acts read; *considered* in Committee.

(In the Committee.)

MR. W. E. FORSTER, in rising to move that the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate, amend, and make perpetual the Acts for preventing the introduction or spreading of Contagious or Infectious Diseases among Cattle and other Animals in Great Britain, said, that he did not intend to detain the Committee long, but as Gentlemen on both sides of the House took an interest in the question, it was desirable that he should state, as briefly as possible, the nature of the Bill. The Government had thought that the time was come when it would be much better to consolidate the Acts relating to contagious diseases among cattle. At present there were seven Acts in operation; indeed, he was not sure that there were not eight, for they had, within the last few days, discovered an Act, passed in 1798, which he thought hon. Gentlemen on both sides of the House were scarcely aware of, regarding some diseases in sheep. At any rate, there were seven in force, and of these one passed in 1848 was a permanent Act, and the others were expiring Acts, which had been continued from year to year, and which the noble Lord opposite (Lord Robert Montagu) in the Bill which he brought forward proposed to continue. In the opinion of the Government it was better there should be only one Act. There was some difficulty among those who took an interest in the question in discovering the scope of the law regarding contagious diseases in animals, and therefore it was proposed to repeal the previous enactments. He stated that circumstance because it was some apology for the length of a Bill which might otherwise create some astonishment in the minds of hon. Members. He would first mention the internal regulations which it was proposed to establish by this Bill, and would at the outset refer to those which related to the Cattle Plague. It was proposed to re-enact almost precisely as they stood the present regulations for stamping out the Cattle Plague, should it unfortunately break out again—for giving the power of declaring certain places infected—for inspection—for preventing the removal of animals, and for compulsory slaughter, and the Bill also contained the same provisions with regard to compensation. The powers now enforced by Order in Council in the case of sheep-pox would be embodied in the Bill, but though they did not take power by Act of Parliament for the compulsory slaughter of sheep, they proposed regulations for preventing the removal of live sheep or carcases without license in places declared to be infected with sheep-pox. There was another case in which they proceeded to new legislation, and they had not done so without much deliberation. They proposed to take powers to check other diseases than cattle plague and sheep-pox; in fact, they proposed to take power to check lung disease and foot-and-mouth disease—any contagious disease, in short, among sheep, cattle, or horses. They had done this for two reasons. In the first place, the facts elicited by the Government in the course of their inquiries proved that pleuro-pneumonia had been, from first to last, almost as dangerous and destructive as the cattle plague; and, in the second place, they had every reason to believe that the agriculturists generally were much more willing than they were formerly to submit to interference on the part of the Government. He believed that, a year ago, arrangements for this purpose were dropped in the House of Lords chiefly on account of opposition from the agricultural interest; but the Government had been informed by Gentlemen on both sides of the House that that was not the feeling of agriculturists now. They had seen the good results which had so evidently attended the exercise of summary power in the case of the cattle plague, and they were, consequently, willing to submit to something of the same character in reference to other diseases. But, in the case of pleuro-pneumonia, the Government did not propose to take such stringent powers. Upon the declaration by the Inspector that any premises, field, stable, or cow-shed was infected by lung disease, that place was declared to be infected, and came under certain rules set forth in the Schedule of the Act, the main purport of which was that diseased animals were not to be moved out of such infected area, except for slaughter, and no animal that had in any way come into contact with infection was to be moved without license, except for slaughter. They proposed to make it penal to exhibit infected animals for sale in any market, or to turn them on to an uninclosed common, the same provisions being applicable in the case of scab in sheep, and they proposed to take powers to prevent animals being moved when diseased by road, rail, or steamboat. The definition of contagious diseases as given by the Bill was "the cattle plague, sheep-pox, pleuro-pneumonia, foot-and-mouth disease, and scab in sheep," and they took powers to enable the Privy Council to include other diseases in the list if it should be thought necessary to do so, providing however, that the least stringent of the regulations contained in the Bill should be applied in any such cases. The Bill re-enacted the powers at present existing for disinfecting and cleansing pens, sheds, and trucks, and to that category the Bill added steamboats and sailing vessels. These regulations were also to apply to glanders in horses. Another object which they sought to attain was the better provision for animals sent long distances by rail, the destination usually being London. They had received evidence showing that great suffering was undergone by animals so sent by rail — suffering which all humane persons must desire to see relieved, and which, arising as it did from the inadequate supply of food and water, especially in the case of animals brought from Scotland and the north of England, must naturally result in the deterioration of the stock. The Government were pressed by many gentlemen to take compulsory powers to compel the railway companies to provide food and water, but there appeared to be great difficulty in doing so. However, he hoped that the object they desired might be attained without their putting the railways under compulsory powers. The directors of railway companies stated that they did not provide food and water because they had no power to recover the expense from the consignor or consignee, and because they were bound by Act of Parliament to charge certain rates. What the Bill, therefore, proposed was that railway companies should make the charge of supplying the animals a debt upon the consignor or consignee, and that they should have a lien on the animals themselves for the debt. He now came to that part of the Bill which would be looked upon with great interest, not only by agriculturists, but by all those who paid any attention to the supply of our large towns, and that was the regulations with regard to the importation of foreign cattle. They proposed to take the same powers that were now possessed by the Government to prohibit the importation of foreign cattle into any part of the kingdom and from any foreign country. They did not think it possible for the Government to perform their duty and preserve the country from this terrible disease, unless this power was intrusted to them. At present the power of prohibition was vested with the Queen in Council; they proposed to give it to the Privy Council. Many hon. Gentlemen probably would perceive the distinction. When the power was vested in the Queen in Council, it might occasionally take some little time before the power could be put in force. When, however, it was lodged in the Privy Council, the power could be exercised without any delay by two Lords of the Council; and when the House remembered the necessity which frequently existed for immediate action, he believed they would generally approve the change. They also took power to permit the landing of foreign animals from any foreign country in any port or part of any port only on fulfilment of certain conditions; so that they took two powers—first, the power of prohibiting importation from suspected countries; and, secondly, of defining certain countries from time to time from which, under certain conditions, importation might be permitted. Those conditions were defined in the Schedule of the Act, and in that Schedule it was provided that these animals could only be landed at certain defined ports, at certain defined landing-places, and could only travel within certain defined areas within those ports. The cattle could not be removed alive from the limits of the defined area. Powers would be reserved to the Government, through the Privy Council, to, in the first place, mark out certain defined areas at the ports of import, into which areas the animals could be brought on their importation, but out of which no animals, home or foreign, could be taken alive. It would also rest with the Privy Council to settle from time to time what were the places from which cattle were not to be imported except on these conditions. With the exception of those places the importation of cattle would be free. In the Bill facilities would be given to the local authorities to construct markets and erect lairs and slaughter-houses, and sheds; and they would have power to take land, to levy tolls, and to borrow money on tolls or rates. No compulsory powers were taken for the construction of markets; but, though no such powers were taken, he had reason to hope that it would not be found that they were wanted either in the metropolis or at any other port. He need hardly say that this subject was one in which the Government would be anxious to receive assistance in respect of details. The question was not one to be regarded as in any way a party question. Certainly he felt his own incompetence for the discharge of the duty which now devolved upon him; but, seeing how very important the subject was, he had given his best attention to it; and both his noble Friend Lord De Grey and himself would be most anxious to receive any assistance from the representatives of agricultural constituencies. As to principles, there were two or three paramount ones. First, the Government thought that the time was come when all persons, and especially persons engaged in agriculture, would be content to put up with a certain amount of interference not otherwise desirable in matters of trade, but rendered necessary for the protection of all classes in the community. Next, as health was the normal condition of cattle as well as of men, the Government hoped that we should not have to look forward to a continued exclusion of foreign cattle. There could be no doubt that the restrictive measures had had a very marked effect on the importation of cattle not only in the metropolis but also in the provinces. Some gentlemen from Hull had furnished him with statistics which showed that, at that port, while the number of oxen, cows, and calves imported in 1865 was 45,864, the number imported in 1868 was only 8,534. Similar results had followed at Newcastle and other ports. There could be no doubt that so great a diminution in the number of cattle imported must have been felt very seriously by consumers. A cordon having been drawn round London, and no cattle having been allowed to be taken outside it alive, perhaps the effect of the restrictions on importation had not been felt in the metropolis so much as elsewhere. He had observed that this was no party question, and he would venture to hope that it was one in which interests even would not be supposed to conflict. There might be the interests of growers and importers, but he trusted neither of these would be considered to be opposed to those of the consumers. The interest of the consumer was plain enough—namely, that there should be only so much interference as was necessary to stop disease, and that there should be that interference. Since he had come into Office he had heard a great deal of argument and much strong statement on the subject of the cattle plague. Some persons boasted that it was not an English production—that it had been imported from Holland; and there were those who said that nothing but complete prohibition would secure us against a recurrence of the evil. However the cattle plague had broken out—there could be no doubt that it did rage in various parts of Europe. It was now in the eastern part of Europe; and no Government could think of permitting cattle imported from countries in which the disease existed to be brought in among cattle not infected with the disease. On the other hand, he thought no hon. Gentleman could suppose that we could expect to feed our enormous population without relying to a great extent upon foreign countries. Having thanked the Committee for the attention with which they had heard him, the right hon. Gentleman concluding by moving that the Chairman be directed to move for leave to bring in the Bill.

Lord ROBERT MONTAGU congratulated the right hon. Gentleman (Mr. W. E. Forster) on the manner in which he had approached the subject, and expressed the pleasure he felt at hearing that the Government, not regarding the matter as a party one, were willing to receive suggestions from whatever quarter they might be offered. The first part of the Bill, it appeared, merely consolidated the existing Acts, not limiting—if he had understood right—but rather extending the existing powers. But then he could not understand what the right hon. Member meant by saying that, in the second part, he took powers to prohibit importation or to permit the landing on certain conditions. The powers existed already. He thought, therefore, that the second part of the right hon. Gentleman's Bill must be a limitation on the first part, and a limitation on powers now possessed by the Privy Council.

Mr. W. E. FORSTER observed that, as by the first portion of the Bill the existing Acts would be repealed, it was necessary in the second part to define what the powers of the Privy Council under the Bill would be.

Lord ROBERT MONTAGU said, that he apprehended the meaning correctly, and feared that the second part of the Bill would limit the existing powers of the Privy Council. The power which he took to prevent the landing of cattle from infected districts would be found insufficient. In many cases it was impossible for the Privy Council to know that the plague existed in a particular country till after diseased cattle had been exported from that country, and, perhaps, landed in this. He would give examples—At one time, an enormous number of cattle infected with disease had been landed in this country from Holland a week before the Government received information that the disease had broken out in Holland. The Dutch farmers, knowing that their cattle had become infected, and fearing a general and serious stoppage of the trade, had hurried their cattle down to the water's edge, and telegraphed for steamers, and shipped those cattle over to England. Again, in May, 1867, forty head of cattle, which on their way to this country had passed through a country in which the disease existed, brought the infection with them. Those forty head of cattle were sold in the metropolitan market, and spread over the City and the suburbs. The first the Government heard of the evil effects of that occurrence was from a policeman who came to the office and stated that cattle were disappearing nightly from the sheds of several dairymen. The Privy Council then employed detectives, who found that the disease was abroad in London, and over 200 head of cattle had to be killed, and stringent measures used to prevent it from spreading. Yet these forty beasts, for whom 200 English beasts had to be sacrificed, had come from some foreign country, no one knew whence, and passed the veterinary surgeons in Berlin who gave a certificate of health, and had also been pronounced healthy by the English inspectors, and had been sold in open market. Therefore, he believed that to regard as an effectual safeguard the power to stop importation from countries in which the disease was known to exist was the merest delusion. As to the permission to land cattle from other countries, only if they were slaughtered in a separate market, he thought that this power was not large enough. For, in the first place, if this were not to be permanent, he did not think local authorities would be willing to construct markets and erect the necessary buildings. It would be like asking a man to build a house on a three years' lease. Secondly, unless the arrangement were general for all imported cattle, it would not be worth while to construct a separate market. A sufficient amount of tolls to pay the interest upon the capital to be expended would not be collected unless all foreign cattle were obliged to be sent to the separate market. The right hon. Gentleman had stated that there had been a diminution in the quantity of meat sent to the great towns in this country; but that was clearly an error on his part, because there had been an increase in the quantity of meat and in the number of cattle slaughtered in the country each year. He asserted, and he was prepared to prove the fact on the second reading of the Bill, that not only had the quantity of meat sent to London increased of late years, but that during the last fourteen years the dead meat trade had increased 72 per cent. Therefore it would not affect the question, even if the quantity of cattle imported had diminished in any slight degree; but he denied that in London or in any of the great towns there had been such decrease. The measure of the right hon. Gentleman appeared upon the first blush to be very good indeed in its first part, but the latter part of it, he was afraid, would not satisfy the agricultural interest. Without unduly praising his own Bill upon this subject, he thought it would be advantageous if the two Bills were to be referred together to a Committee of the Whole House, in order that the best parts of each might be adopted, and a measure framed which would forward the interests not of the agricultural class on the one hand, nor of the commercial class on the other, but those of the whole community.

Mr. HEADLAM deprecated any discussion of the details of the Bill at its present stage, but expressed an opinion that the measure would be a very serious and important improvement upon the existing system. With regard to the foreign cattle trade, he could not express in too strong terms his opinion of the manner in which the existing regulations interfered with that most valuable trade, without producing any very great good to the country, or preventing the importation of disease. The right hon. Gentleman's Bill was divided into three parts, the first providing that cattle should be imported perfectly free from certain countries where disease did not exist, or where it had for so long been absent that there was no danger to be apprehended. No one would object to that portion of the Bill. The second part gave power to the Privy Council to absolutely stop the importation of foreign cattle from places which were dangerous, and no one would grudge the existence of that power, which was an exceedingly desirable one. As to the other part of the Bill, relating to places where suspicion of disease existed, he would offer no opinion until he saw the provisions. The noble Lord opposite (Lord Robert Montagu) seemed to desire that the present system should be made permanent and general, and that obstacles should be thrown in the way of the importation of foreign cattle for ever. He had no chance of agreeing with any one who held such views as that. He urged his right hon. Friend to proceed with his Bill as rapidly as possible, for it was important that there should be no unnecessary delay in passing a really good measure on the subject.

Mr. DENT referred to the marked absence of Gentlemen representing the agricultural interest from the other side of the House, which was a pretty fair sign that they were not perfectly satisfied with the provisions of the noble Lord's Bill. The Bill of the Government seemed to deal with the subject in a larger and more genial spirit; for, while protecting fairly and honestly the home producer, they did justice to the foreign importer. He objected to the noble Lord's Bill being discussed in Committee with that of the right hon. Gentleman.

Mr. EGERTON said, he hoped the House would not discuss a Bill the provisions of which they had not seen. There would be a great desire, he was sure, on both sides of the House to produce a Bill which would be satisfactory and which would have the effect of cheapening the price of meat.

Mr. NORWOOD said, that the right hon. Gentleman's Bill would be a liberal measure for the outports, and though it might not be entirely satisfactory to his constituents, it met with his strong approval.

MR. GEORGE GREGORY, as the representative of an important agricultural constituency, hoped the right hon. Gentleman's Bill and the Bill of the noble Lord would be considered together by the same Committee. His opinion was decidedly in favour of slaughtering cattle at the point of debarkation. No one who went to the noble market which had been erected in London could fail to be struck with the great importance of the carcase trade, which was steadily increasing; and it had been found that, with our present facilities of railway communication, it was much cheaper and better to send dead meat instead of living animals into the market. He hoped these things might be taken into consideration, and that we might be protected from disease of this dangerous and malignant nature.

MR. CHADWICK said, that as representing a borough situated in a county which had suffered more than any other from the cattle plague, he rose to express a hope that the prayer of many petitions which he had presented would be taken into consideration, and that while the mistakes or omissions of previous legislation were remedied, the House would seriously consider the great injustice which had been placed on the county of Chester. At the proper stage he should propose that a clause be inserted in the Bill to alter the legislation from which Cheshire had so grievously suffered.

MR. MACFIE pointed out that the people of Manchester were opposed to the slaughter of cattle at the point of debarkation. Their experience was that those restrictions had seriously injured both the shipping interest and, through the shipping interest, the great consuming interests of the country. The falling off in the import of cattle, including calves, for their use, had been rather more than four-fifths.

MR. HENLEY said, he would not give any opinion upon the multiplicity of powers contained in the Bill of the Government; but he hoped that among those powers there would be some statutable security to protect the people of this country, as far as possible, from the evil which might come among us, and not leave us as we were before to be worried by the exercise of every power imaginable on the face of the earth, till it almost became a question which was the greatest curse—the plague or the powers.

COLONEL BRISE said, he was of opinion that the Bill introduced by the right hon. Gentleman would not prove satisfactory to the country. He denied that the noble Lord (Lord Robert Montagu) was not supported in his views by the agriculturists of the country. He hoped the right hon. Gentleman the Vice President of the Council would consent to the request of the noble Lord, and have the two Bills taken together. He believed we were now at the commencement of a great revolution in the meat trade of the country, and dead meat markets were now on a very different scale to what they had ever been before. In Harwich the dead meat trade had increased very considerably of late. By a Return which had been forwarded to him it appeared that, during the four months from September 1868, to the end of January, 1869, 7291 foreign sheep were slaughtered in Harwich, and in the corresponding periods of 1867 and 1868 there was not a single foreign sheep slaughtered at that port. The right hon. Gentleman the Vice President of the Council, had spoken of there being three interests involved in this question—the interest of the consumer, the interest of the agriculturist, and the interest of the importer. He maintained that the interests of the consumer and producer were the same, both requiring protection for their herds from foreign disease. The interest of the importer, however, was distinct, and might be opposed to both the others.

MR. W. E. FORSTER, in reply, said the noble Lord opposite (Lord Robert Montagu) had pointed out as one of the difficulties of the Bill that the markets to be provided would not be permanent, but he would find a clause inserted to meet that difficulty. It would be somewhat premature to speak about the arrangements with regard to the future conduct of the Bill; but the Government were anxious to push the Bill on as quickly as the rest of the Public Business would permit. Any differences of opinion as to the importation of foreign animals would be most easily settled by Amendments to the Bill, which had been so drawn that those questions would be instantly raised by Amendment.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a

Bill to consolidate, amend, and make perpetual the Acts for preventing the introduction or spreading of Contagious or Infectious Diseases among Cattle and other Animals in Great Britain.

Resolution *reported* :—House *resumed* :—Bill *ordered* to be brought in by Mr. DODSON, Mr. WILLIAM EDWARD FORSTER, and Mr. Secretary BRUCE.

Bill *presented*, and read the first time. [Bill 38.]

PHARMACY ACT (1868) AMENDMENT BILL.

RESOLUTION. FIRST READING.

Act read; *considered* in Committee.

(In the Committee.)

LORD ROBERT MONTAGU, in moving that the Chairman be directed to move the House that leave be given to bring in a Bill to amend "The Pharmacy Act, 1868," said the Bill consisted of only one clause. In England medical practitioners, who were generally licensed apothecaries also and veterinary surgeons, were able to take medicines with them and to dispense them, but in Scotland neither of those classes of professional men were able to dispense medicines; for there was no licensing power in Scotland for apothecaries, and many veterinary surgeons were licensed by the Highland Society, but were not veterinaries of Great Britain. It was a matter of serious consequence that this state of things should be altered, for it might happen that a doctor might be attending a patient in the Highlands some twenty miles away from the nearest druggist's shop. This Bill was to make the necessary change in the Act of last year.

AN HON. MEMBER hoped the noble Lord would extend the wording of the Bill, so as to include the case of Scotch practitioners practising in England.

MR. W. E. FORSTER, on the other hand, thought that the Bill had better remain as drafted.

MR. BREWER said, he feared that the action of the Bill would be of a retrogade character.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Pharmacy Act, 1868."

Resolution *reported* : — Bill *ordered* to be brought in by Lord ROBERT MONTAGU and Sir GRAHAM MONTGOMERY.

Bill *presented*, and read the first time. [Bill 37.]

House adjourned at Nine o'clock.

HOUSE OF LORDS,

Friday, 5th March, 1869.

MINUTES.]—PUBLIC BILLS—*First Reading*—Ecclesiastical Dilapidations * (25); Clergy Discipline and Ecclesiastical Courts * (26).
Second Reading—Habitual Criminals (18).

APPROPRIATION OF PROPERTY.

MOTION FOR A RETURN.

LORD REDESDALE rose to move for a Return of all Acts of Parliament whereby property belonging to any person, corporation, or trust has been taken from such person, corporation, or trust without their consent, and without securing to them full compensation for the property so taken, or without offence being charged against such person, corporation, or trust justifying such confiscation. Their Lordships would no doubt perceive that his Motion had reference to the proceedings now pursuing in regard to the Church in Ireland, and it was important they should know what had been done by Government and by Parliament hitherto with regard to such property. His belief was that the Return would afford no precedent for such proceedings as these with regard to the Irish Church, and if any statutes were to be found which dealt with any analogous subject they were such as their Lordships would scarcely wish to adopt as a precedent. A great deal of misconception, he thought, had arisen from the use of the terms which were now employed. The substitution of "disendowment" for "confiscation" seemed to have misled many persons as to the character of the movement. "Disendowment" meant "confiscation." In whatever was left to the Church after the legislation which was now commenced there would be no disendowment, and whatever was taken from the Church was pure "confiscation." Parliament, in dealing with property, had always, and especially of late years, been most careful to secure to all parties, whose property was interfered with by legislation, proper compensation for any damage, or for any compulsion which they had to submit to. Parliament had been most careful in that respect in all Improvement Acts, in all Railway Acts, and in all Acts for public works. It might be said that in the present case compensation would be provided, but he denied that compensation was provided for many of the parties who were thoroughly entitled to receive it. The clergy did not alone constitute the Church; the laity were as much a part of the Church as were the clergy—and in the scheme now before Parliament, particular care was taken that the laity should be represented in the governing body to which the charge of the Irish Church was to be committed. But no compensation whatever was proposed to be given to the laity for that which was to be taken away from them. He had heard it said that there was a technical ground for that, inasmuch as none of the property of the Church was vested in the laity; and that all who had vested interests in the property, clergymen, patrons, and others would be compensated. But the laity, who were to have services which were extremely valuable taken away from them, were to receive no compensation whatever. Now it was notorious that many persons had rights over the property of others, which rights could not be taken from them or could not be infringed upon without compensation being provided. If a man had a house on the extreme verge of his property, and overlooking the property of another, he had a claim to the lights which he enjoyed from that property, and those lights could not be taken away, and if the owner of that property desired to erect any building on his own land which would interfere with them, he must obtain consent and pay compensation. In like manner a right of way which any man possessed over the property of another could not be taken from him or interfered with without entitling him to compensation. In like manner the laity have a claim on the property vested in the clergy for rights enjoyed by them from that property, and applying the instances of light and way before mentioned to those rights, it would be found that the laity were in possession of the light of the Gospel, which they had received from the Church for ages; which it was now proposed to take from them, without any compensation. In like manner, the laity had a road open to them—the road to salvation—through the Church which taught them; but it was proposed to take that away also, and without compensation. The rights of the laity had not been at all considered in the measure now before Parliament, and it was important that those rights should be maintained. The Return for which he moved had some reference to the position of the Government; for if no previous Act of Parliament could be found of a similar character to the Bill now before Parliament on the subject of the Irish Church, the present Government would stand in the position of interfering with the rights of property in a manner which was, in fact, the commencement of a revolution. The primary object of government, as defined by Lord Macaulay, and by other authorities against whom no objection could be raised, was the protection of the lives and property of the people, and that definition had been accepted and published by the present Premier, in his recent autobiographical sketch. If that primary object was departed from in the least degree, the proper application of that definition was at once upset. As a homely instance he might say that the police and magistrates were founded for the protection of life and property; but if the police were all thieves and the magistrates supported them, the primary object of both would be destroyed, and the public would not believe in the security of property. In like manner if a Government became spoilers of property in one instance, and Parliament abetted that spoliation, what security was there that the primary object of Government would be respected, and that spoliation would not be carried out in other instances? The reason assigned for the present movement against the Irish Church was that the majority of the population of Ireland were Roman Catholics, and were jealous of the possession of this property by its present owners, who were the minority and from whom they differed. Now, common sense would at once show that no doctrine could be more dangerous than that, because one class were jealous of the possession of property by another, Parliament might step in and appropriate it on such terms as it thought fit. Dangerous as such a doctrine was as regarded property generally, it was peculiarly so when applied to Ireland, for it was notorious that, over a large portion of that country, the occupiers of land held that the legal owners, who were of course a minority, were not entitled to it, and that they themselves ought to be the owners. This, in truth, is the "land question" which is the question of the day in Ireland. The tenant has often often enforced his view of it by murder, and the principle on which it is proposed to despoil the Church may be applied to the landlords, and lead to a fearful social convulsion. He believed that last Session he was the first to apply to disendowment its proper name of sacrilege; and, though hard words had been applied to him on that account, he maintained that the definition was undeniable. No one who knew the definition of the word would contradict him. Johnson called it "the crime of appropriating to oneself of what had been devoted to religion." A frightful crime was involved in an act of sacrilege, and he challenged anyone to show that the appropriation of what had for centuries belonged to the Church and the services of religion to the relief of the county cess was anything else than sacrilege. It being necessary to find some good reason why Parliament should commit such an act, it was argued by that portion of the Press which supported this policy that the people, at the late election, had declared in favour of those beautiful words "disestablishment" and "disendowment," and that it only remained to consider how to carry out this foregone conclusion. Now, his political experience and acquaintance with history did not dispose him to think that the decision of the people at a General Election was always a reliable basis of action. It was no uncommon thing for the people to reverse the decision of one General Election at the succeeding one, and he thought, in the present case, if there were another General Election at no distant period the decision might probably be the other way. There could be no justification, therefore, on this ground for the crime of sacrilege, and he believed that the more those who were called upon to decide this question reflected on the personal responsibility resting upon them, the less inclined would they be to divert to secular purposes property which had so long been devoted to the cause of religion and truth. Some of the arrangements proposed appeared to him to be exceedingly objectionable. Tithes were to be disposed of to the landowners at twenty-two-and-a-half years' purchase. Now, did anybody believe that this proposal had any other object than to conciliate the landed proprietors, who were, for the most part, Protestants, and who strongly objected to the scheme on religious as well as on political grounds, believing it to be not only impolitic but sinful? Nothing was commonly deemed more profligate than to try and bribe people to do what they believed to be wrong or wicked; yet what was this proposal but an offer of property to the landed proprietors at a reduced rate as a profitable investment, in order that they might be induced to accept what they felt to be wrong? He wondered this view of the matter had not occurred to the promoters of the Bill. He could only attribute this, and the manner in which the measure had been received by many to that blindness of heart which was so common a cause of mistakes and sins, and which prevented so many people from seeing the question in its true aspect, and perhaps it may be partly attributed to the terms in which the scheme was disguised. He would submit to the consideration of the House two cases. Suppose a man were to say to another—"I know you are extremely favourable to a particular charity; it is one which confers great benefit on many, and might confer benefit on a great many more if we had sufficient funds; I think, if you would assist, we could do something to augment those funds"—the reply would be—"Well, I should be most happy to do so, but what do you propose?" If the answer was—"Why, I wish you to commit an act of petty larceny; I assure you we are safe against detection, and we will devote the money exclusively to the charity," what would anybody of right principles say? Would he not tell the man who so addressed him—"Much as I wish to benefit the charity, I think your proposition disgraceful to yourself and insulting to me?" Suppose the same man soon after to meet another who should say to him, "Will you join me in a movement which will bring our party into Office, and probably keep them there, and which will conciliate the Roman Catholics in Ireland?" and should reply to him—"These are excellent objects, what do you wish me to do?" and if the answer should be—"Only to commit an act of sacrilege without any risk to yourself," ought not the reply to be the same as in the former case? Where was the difference between them? In the one the crime was petty larceny, in the other sacrilege; in the one the proceeds were to be devoted to an excellent charity, in the other—along with a little personal advantage and a party triumph—the state of Ireland was to be improved. Why, then, has the answer been so different in too many instances? Was it the prospect of party success, or the use of new phrases which had concealed from many the sacrilege lurking under the proposal, and produced that blindness of heart under which so many suffer. Speciously as the scheme had been brought forward, he hoped that, on reflection, its true character would be recognized, and that all honest men would become sensible of the fearful responsibility they incurred in supporting it.

Moved, That there be laid before this House, a return of all Acts of Parliament whereby property belonging to any person, corporation, or trust has been taken from such person, corporation, or trust without their consent, and without securing to them full compensation for the property so taken, or without offence being charged against such person, corporation, or trust justifying such confiscation.—(*The Lord Redesdale.*)

EARL GRANVILLE said, that he had stated on a former evening that his noble Friend was one of the best men of business in the House, and the one most conversant with its usual practice, and, therefore, he was never more surprised than when his noble Friend, on coming down to the House the other evening, on his first appearance this Session, gave his Notice of Motion. Part of the noble Lord's speech had been marked by that strong religious feeling and earnestness for which he was conspicuous, while in other parts he had indulged in some facetious comparisons of the policy of the Government to the commission of petty larceny. Now, he (Earl Granville) fully admitted the right of the House to anticipate by discussion, in whole or in part, the question of the Irish Church, that measure which might possibly be sent to them, and to which the noble Lord had somewhat irregularly referred. But if so important a question was to be discussed, he thought he had at least a right to claim that due and fair notice of such an intention should be given. With regard to the proposed Return, he had consulted a most learned Friend, as to what it could mean, and whether it referred to the Irish Church. The reply was that it must refer to endowed schools, and could not relate to the Irish Church, because a man like the noble Chairman of Committees must be aware that the Church was not a corporation, and was not legally a trust, while no proposal had been made to take away a single sixpennyworth of property from any person possessing it. Under these circumstances, he would only say that while his Colleagues and himself would not shrink from discussing any of these questions, if brought forward after due and proper notice, he thought the House would agree with him that he had better not continue the present debate. With regard to the Order itself, to whom was it to be addressed? If it should be addressed to any Department of the Government, the usual course would have been an Address to the Crown; but he did not see that any Department could undertake the work, and he believed, technically it would be addressed to the Clerk of the Parliaments. Now, had he a doubt on any subject involving political, historical, legal, or moral questions, there was no one to whose judgment and knowledge he would sooner appeal than to his learned Friend (Sir John Lefevre); but he protested against forcing upon any officer of the House the gigantic task of not only wading through the entire Statute-book, but also of deciding upon those questions of fact and law which were involved in this Order. The noble Lord would, perhaps, consent to omit the latter part of the Motion, and insert instead, "with the reasons stated in such Acts for the appropriation or transfer of such property." The labour would, he thought, be very great, and the facts might not turn out of much use; but possibly they might assist the House, when the subject came to be discussed, in deciding whether the views of the noble Lord were sound, or whether the opinions of men like Hallam and Sir James Mackintosh were right; that there was no principle to be found sufficient to refute the common notion that private and public property stood on a different footing.

An Amendment *moved* to leave out from ("consent") to the end of the Motion, and insert ("together with the reasons stated in such Acts for the appropriation of such property."—(*The Earl Granville.*)

LORD REDESDALE, in reply, said, the alteration suggested by the noble Earl, which would include all cases in which compensation had been given for property taken, and was consequently the reverse of what he had moved for, would bring in Railway and all other Public Improvement Acts, and immensely increase a labour which otherwise would be extremely light. As to the wording of his Notice he thought it obviously had an application to the case of the Irish Church. The noble Earl had not attempted to answer his arguments, not desiring, as he said, to enter into the question now. The noble Earl had objected that the Irish Church was not a corporation; but he must be aware that every Bishop, dean, rector and vicar was a corporation sale, and he (Lord Redesdale) had used the words "person, corporation, or trust" as covering all public or private property. He should be the last person to press for the Return if he thought it would impose much labour on the officers of the House, but he believed very little investigation would be necessary, and that the Return would be that no such Act was to be found.

Earl GREY said, he hoped the noble Lord would withdraw the Motion. He could not think it desirable that such a Return should be ordered for the mere purpose of supporting an argument which the noble Lord could use quite as effectually without it as with it.

Lord REDESDALE said, he had no objection to withdraw the Motion on the ground stated by the noble Earl (Earl Grey). If it was admitted that there was no Act of the kind, the fact was sufficient for his purpose, and he would not give unnecessary trouble.

Then the said Amendment and the original Motion (by leave of the House) *withdrawn.*

HABITUAL CRIMINALS BILL—(No 18.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley.*)

Lord PORTMAN said, this was an important measure, and in the right direction; but at the same time he thought it would require careful consideration in Committee, for there were many of the clauses which, in his opinion, were not calculated to carry out the object which its framers had in view. He thought that in an important question of this kind it was better to proceed tentatively than to attempt too much at one time, and so incur the risk of failure. He had himself considerable experience in dealing with the criminal classes, and he thought there was an omission from the Bill of a large class of criminals who were not felons but misdemeanants. As instances of the kind of misdemeanants who might properly be brought within the provisions of the law he would mention the passers of base coin, who were considered only as misdemeanants, but who certainly belonged to the class of "habitual criminals," because they were usually the companions of thieves and assisted them to carry on the trade of thieving, and they ought to be put in the same category with them. He believed also it might be worth their consideration, as they had dealt with pawnshops, to deal also with the marine-store dealers. He believed that in numerous instances these shops were receptacles for stolen goods, and he would ask his noble Friend whether it would be too much to deal with them in a Bill of this kind. There was already, indeed, an Act of Parliament that dealt with receivers, but men of this class who had been previously convicted were as much "habitual criminals" as any other of the criminal classes. There was another omission in the Bill. The Bill dealt with the owners of those houses where thieves found a lodging. He thought that was a proper provision, for the persons who kept those houses were often more criminal than the thieves themselves. But the clause required a very clear definition of the word "owner," and he would suggest some such definition as was contained in his noble Friend's (the Earl of Shaftesbury) Artizans' and Labourers' Dwelling-houses Bill, where the word "owner" was defined to mean the occupier of the premises. Upon the whole, however, he agreed that the measure was a step in the right direction, but it would be better not to press it too far at first, and he would be glad to assist his noble Friend in perfecting its provisions in Committee.

Lord ROMILLY said, he approved of the Bill, but there was some alterations he wished to suggest in it, and which he hoped his noble Friend would think worth consideration in Committee. He agreed with his noble Friend (Lord Portman), both that it was a good measure, and that it required a great deal of consideration in Committee, if its object was to be effectually accomplished. He understood that the Bill was directed to offenders against property, and that it was not intended to deal with offenders against the person. In that view he had one or two observations to make on its provisions. He wished to point out to their Lordships the great power —the too great power, he thought—that was given to magistrates to act against criminals. By the 10th clause, by the first of three circumstances enumerated, it was provided that any magistrate who had a reasonable suspicion against a person who had been twice convicted might sentence such person to imprisonment for one year, and he alone was to be the judge whether the grounds for such suspicion existed. This was a mere arbitrary power which could be enforced without assigning any reason against an industrious and reformed convict whom the magistrate disliked. The 14th clause shifted the burden of proof, in the case of the receivers of stolen goods who had been previously convicted, from the accuser to the accused. He objected to that in the case of persons put on their trial for the first time, but, if surrounded with proper precautions, he thought it might be applied to persons who had been previously convicted. But then arose the difficulty which he pointed out last year in reference to the Bankruptcy Bill. It was scarcely possible to put a man on his trial and say that he should be convicted unless he could prove his innocence, and yet to refuse that person the right and the power of giving evidence on his own behalf. Then, if they gave the accused that right, they must also give the prosecution the power of cross-examination; and this would lead to the introduction, to some extent, of the system of examining prisoners, which was adopted in continental courts. Whether that was a proper mode of endeavouring to discover the truth, he need not now give an opinion: but their Lordships must consider the change which would thus be worked in the jurisprudence of the country if that system were introduced here. Another point in the clause in question he wished to notice was the provision that a man might be brought before a magistrate if he had once been imprisoned for any offence. But this surely did not mean if a man in a drunken row knocked down a constable, and was sent to gaol for it, that that should be such an impeachment of his honesty as to put on him the burden of proof if he were afterwards accused of theft, or that a man who had committed manslaughter should be held to be, *primâ facie*, guilty of a burglary committed on his neighbour's house. Offences against the person ought to be distinguished from offences against property. There was another suggestion he wished to make. His noble Friend (the Earl of Kimberley), in introducing the Bill had dwelt with much force and had brought forward valuable statistics to show the great number of persons who made a trade of thieving—who formed a sort of army making war upon society. He believed that was true; but he thought that if we merely endeavoured to repress crime by punishment we should succeed but very imperfectly. It was a recognized fact, that there was a great disposition on the part of children to follow the vocation of their fathers, and in the case of the children of thieves there was scarcely any alternative. They became thieves because they were educated in the way, and had no other trade to apply themselves to. To strike at the root of the evil he would suggest that if a man committed felony, all his children under the age, say of ten, should be taken from him and educated at the expense of the State. That, unquestionably, was a new proposition, and it would require great consideration. It might perhaps be said that it was putting a premium on crime, and that a man who wanted to provide for his children need, in that case, only commit felony to accomplish his object; but he believed the effect would be just the contrary. He believed no respectable person would commit felony for such a purpose; and that if we knew more about the feelings of thieves, their Lordships he believed would find that there was among them a particular species of morality, that they were not devoid of natural affection; that though they considered themselves the enemies of society, yet they had fidelity towards each other and affection for their children, and he believed their Lordships would find that to take their children away from such persons would be a very effectual mode of punishment: and he believed the expense, which would no doubt be considerable in the first instance, would be more than re-paid by the diminution of crime in after years. Whether he should feel it his duty to press this in Committee would depend on the support it was likely to receive. There were two matters to which he might refer. It was very desirable that something like uniformity should be established in the punishments awarded to prisoners. With the Judges at Westminster Hall there was, whether expressly or impliedly, a scale by which punishments were awarded for different offences; but with magistrates and at quarter sessions, there was nothing of the kind. Undoubtedly, a large latitude and discretion must be permitted; but he still thought that it was possible that some scale might be established which would do away with the glaring differences which so frequently appeared between the punishments awarded in different parts of the country for offences of precisely similar character. He would also throw out, as a suggestion, whether it was worth while to make a criminal plead at all either guilty or not guilty, with the almost certain knowledge of everybody that, if he pleaded not guilty, in nine cases out of ten the plea was a falsehood. He ought simply to be put on his trial as soon as his identity with the person mentioned in the indictment was admitted by him or proved, and he should not be encouraged, as he is now, to utter a deliberate falsehood on a solemn occasion when the discovery of truth was the real object. These, however, were but subordinate matters. He had merely thrown these suggestions out for the consideration of his noble Friend, and would assure him that he would do all in his power to assist him in carrying into effect what was the real object of the Bill—the reduction in the number of criminals and the better security of property.

Lord HYLTON said, there was no doubt in his mind nor, he believed, in the minds of their Lordships, that some change in the law was absolutely necessary. Unfortunately, their mode of dealing with criminals hitherto had not been a success. He agreed with the general scope of this Bill, but on the other hand, he thought it might be very easy to carry the principle on which the Bill was framed too far. No doubt the object which the release of convicts on tickets of leave was intended to attain was to afford to the convicts so released the opportunity of returning to industrial occupations, and earning for themselves an honest livelihood. When the Act of 1864 was passed it was made imperative upon persons holding tickets of leave to report themselves to the police in the districts where they resided—that regulation had been greatly complained of by many persons, because if these persons were periodically, month after month, obliged to appear at a police-station, which sometimes might be at a considerable distance from their residences, there was a great chance of the fact coming out that they had once been thieves, and then they were likely to lose their employment, by which means the great object which was sought to be obtained by the issue of those tickets was at once defeated. But the new Bill went further, and gave power to a police-constable to take up any individual without any offence, but on mere suspicion. This would make it still more difficult for persons of that class to avail themselves of any opportunity to do good to themselves or to obtain employment. He thought the power given to a single policeman to apprehend, or to a single magistrate to commit such a man on mere suspicion was not only too great, too vague, but represented a principle hitherto unknown to our law. He did not object to the rules and regulations with respect to licenses. They might make them as stringent as they pleased, he had no fear that under the control of the Secretary of State they would be made too hard. What he should suggest was, that the fourth clause of the Bill should be struck out. He approved of many of the suggestions of the noble and learned Lord who spoke last, (Lord Romilly) but he certainly could not agree with his suggestion that the State should take and educate the children of criminals. He did not believe, indeed, that such an inducement would lead any respectable man to become a thief; but there was a pretty large class which, though not criminal, was not very respectable, and the temptation to them of having their children provided for by the State, he feared, would be stronger than they could resist. With respect to the clauses that dealt with houses which were the habitual resort of thieves, he would remind their Lordships that many of them held licenses, and he would suggest that for the first offence the license should be taken from them, whether it was granted by the Excise or by the magistrates. He trusted that a Bill so important as the present one would receive full discussion at their Lordships' hands.

THE EARL OF SHAFTESBURY: I think, my Lords, that the principle of this Bill it is impossible for any one to gainsay. Certainly, the principle is a perfectly legitimate one, that those who have been guilty of repeated offences should, after the expiration of their sentences, for the better security of society be placed under constant supervision. But then the character of that supervision must depend very much upon the greater or less discretion with which it is exercised. If you carry the supervision beyond a certain point and make it too stringent—as by this Bill I think it certainly will be—you probably run the risk of a great evil, because you will be shutting up more closely than they are now shut up all the openings to employment and access to industrial occupations. A man watched at every step and moment of his existence, and becoming more notorious, as he is sure to be before long by the action of the police and a thousand other circumstances, will find the door of ordinary employment shut against him, and will be driven to the choice between violence and starvation. Your Lordships will recollect that, when the Bill of 1864 was before this House, your Lordships listened to the arguments which I used, and rejected the proposal rendering it imperative upon a ticket-of-leave man to report himself to the police once a month. The House of Commons, however, restored the clause, and your Lordships not insisting on your Amendment, the Bill containing that provision received the Royal Assent. I am satisfied, from the minute inquiry that I have been able to make, that the provision has been nearly an absolute failure. I know that the eminent man, whose recent loss we so much deplore—Sir Richard Mayne—thought otherwise, and that the system had been successful. I do not think that the success was such as Sir Richard Mayne anticipated. It must be remembered that the stringency of that provision drove many of the principal thieves from London, and thus though the effect of that provision might have been in some degree to purify the metropolis, I do not believe it in any way purified the country. For a long time a vast number of these men did not and have not reported themselves, although it is true that a large number have done so. The noble Earl has stated, on the authority of the late Sir Richard Mayne, that the police have through this clause been enabled to procure employment for a good many of the ticket-of-leave men. When the noble Earl made that statement I have no doubt that he altogether believed what he said, but he has adduced no proof, and I think I may safely defy him to do so. It may be that some situations have been obtained for these men through the exertions of the police and the Discharged Prisoners' Aid Society; but the direct action of the police in this direction has been vain. At any rate, of this I am certain — that, whatever Returns the police may make of the places they have obtained for released convicts, they have not obtained anything like the number that those men obtained for themselves before the adoption of so stringent a provision. The burden of the provision, indeed, presses upon them with great weight and severity, and many—I have heard from some this very day—who have been anxious to forsake the life they had been leading have found this clause a great obstacle, because the result of their reporting themselves is frequently to reveal the fact that they possess tickets of leave not only to their employers, but—what is a more serious evil—to their fellow-workmen also. The greatest obstacle to the employment of these men at present is the body of men with whom they are to be associated. Now, my Lords, let me point out to you in what way this extended system of supervision would act. I desire to guard myself against possible misrepresentation in respect of what I am about to say of the metropolitan police. I admit that the superintendents, the inspectors, the sergeants, and a very great majority of the men of that force are honest and upright men, and discharge their duty with efficiency, and in a manner that entitles them to the thanks of the community; but we must remember that the police force is a very large body. It consists of some 7,000 or 8,000 individuals, and in such a number it is impossible but that there must be some individuals of indifferent character. From time to time we see in the police reports cases in which bad conduct has been proved against policemen; but what is proved in private we do not see; but if we had access to the records in the offices of the Police Commissioners we should find that the Commissioners have to deal with many cases in which complaints are privately made of members of the force, and that men are dismissed because it has been found that they are unworthy of being trusted. Again, I say that these are only exceptions to the general rules and that the majority of the body discharge their duties honestly and properly. But when considering the power, proposed to be given to police-constables by the 4th clause of this Bill we must not forget that we are about to put great power into the hands of some men at least who are exceptions to the general rule. Now, my Lords, the 4th clause states that—

> "Any constable or police-constable may, without a warrant, take into custody any convict who is a holder of a ticket of leave."

The clause then goes on to state that the police-constable may take such holder of a ticket of leave before a magistrate, and that, if the prisoner is unable to show that he is pursuing an honest course with the view of gaining a livelihood, the magistrate may send him back to the punishment from which he had been relieved. There are many men who having been convicted, and having subsequently obtained tickets of leave, are now earning an honest livelihood and are in the receipt of good wages. Now, though the policeman might say nothing to the man yet it might be pretty clearly conveyed to him that unless he were willing to pay hush-money he would be arrested and exposed. It is easy to get up a case of suspicion against a man. He may be made to pass through a suspected locality or may be accidentally brought into the company of persons whom there is good reason to suspect. A bad policeman could effect this by indirect means. Well, the holder of the ticket of leave goes before a magistrate, and what happens? He proves that he is earning an honest livelihood, and the magistrate dismisses him. He returns to his work, and his employer dismisses him also. It has occurred before now that men have been dismissed by their employers under somewhat similar circumstances, and will be likely to occur still more frequently under the present Bill. How can you compensate a man for such a loss as that? You cannot do it; and yet you expose men who may be earning an honest livelihood to the danger of that happening to them if they refuse a demand for hush-money, or in any other way give offence to a dishonest police-constable. I know at the present moment a young man who, though convicted, is now in respectable employment, and in the receipt of good wages. He is living in terror lest, under the circumstances to which I have referred, this provision having become law, he may be brought before a police-magistrate, and with the inevitable consequence of being discharged by his employers. Depend on it that hundreds of men in that position are now watching the progress of this Bill. I do not object to stringency of punishment provided you accompany the system with such safeguards as will keep men from being exposed to the danger of losing that employment without any fault of their own. I think, indeed, it would be well if you wish to carry the whole of this Bill with its stringent provisions, you must introduce something very similar to the regulations for criminals in Ireland; you must have a public officer to whom must be committed the charge of the discharged criminals —a man who would exert himself with a view to their welfare, and who might be the means of obtaining for many of them an honest livelihood. Certainly, if something like this be not done, I am much afraid that a provision such as that which I object to in this 4th clause will create a new kind of crime, to which men will be driven by a feeling of desperation. I do not believe that the number of professional thieves is nearly so great as has been stated. The number of persons who are leading a dishonest life may be 20,000 or even more than that; but, when we speak of the "habitual criminals," the persons who give themselves to robbery and burglary as a profession, and desire no other mode of living, I believe the number might be reduced to one-third or one-fourth of 20,000. I believe you will effect a great deal in putting down crime by stringent measures as against the receivers of stolen goods and the keepers of marine stores, the latter denomination being only another name for receivers of stolen goods. The dealers in marine stores should be required to take out a license. Then with respect to smelting-pots, no one should be allowed to use smelting-pots except under the superintendence and supervision of the police, who should regulate the hours at which the smelting-pot was to be used. But, my Lords, it is not only to dealers in marine stores and the keepers of smelting-pots that stolen goods are disposed of. I believe that the largest depôts for such articles are beer-houses and low public-houses, By means of these places facilities are afforded for enormous plunder in London. Into them stolen articles are carried in detail and deposited until a heap is collected, when a person calls and takes the collection away, leaving a sum of money for the person or persons by whom the goods have been deposited. My Lords, I do not think that in this country, and with the advance of what may be called civilization, it will ever be possible to put down the practices of those who carry out robbery and burglary on principles of high art. The 20,000 robbers and burglars, of whom mention has been made to your Lordships, are vulgar practitioners; the highest order of thieves and burglars are persons of high intellectual power, scientific knowledge, and very considerable ingenuity, who, if they were engaged in honest pursuits, would, many of them, be sure to rise to high distinction. This class is much more likely to increase than diminish, because the whole of their system has been reduced to a complete science. No one can doubt their ability who has seen some of the instruments they have constructed. I heard of one of them the other day who has great skill in chemistry and photography. He boasts that in a very short time he could open any safe or break through any door that could be devised. I am told that this higher order of burglars and thieves meet from time to time as a kind of British Association for the advancement of science. In their conclave they compare notes and talk over the advances that have been made in their art. Those men are proud of their intellectual powers and glory in their practical achievements. I by no means concur in what has fallen from a noble and learned Lord this evening that the children of thieves are always thieves themselves, and that being such they should be specially regarded as objects of the public care — it is by no means the case. With the many and various temptations around them, we have almost as much to apprehend from the children of the better, as from that of the most degraded classes. Now as to another point. At present the law passes a far severer penalty upon the commission of the second offence than upon the first. I am not going to plead on behalf of those who have sinned once and a second time; but I wish to state that I believe that in a great number of instances the man is less guilty in committing the second offence than in committing the first. You may go through the list of all the thieves in the metropolis, and you will find very few instances in which the first offence was committed under the pressure of distress. The first is generally committed under the influence of bad associates, a desire for money, habits of gambling, the company of abandoned women, or similar causes. Nineteen-twentieths of first crimes are caused by these things; but on the second occasion crime is often perpetrated under circumstances of the greatest distress. A person has been convicted of an offence and sent to prison. He comes out—he has lost his character —and finds it impossible to get a living by honest means. He commits a second theft, and is punished more severely for it than he had been for his first offence. It is right that he should be punished for the second offence; but I think he should be punished with a degree of mitigation if it be found that he has committed the second offence under circumstances which make it more excusable than his first offence had been. We are not considering, in the present Bill, the question of the repression of crime generally, but of the repression of habitual crime. The repression of crime is a much larger question, but I believe it may be treated with great hopes of success if we proceed to deal with it in the right way—by getting hold of the children of the poorer classes, bringing them up in the way they should go, and providing them with decent and honourable employment. By means of existing institutions many thousands of these children are now engaged in industrious occupation. There is another subject which I cannot pass over on the present occasion, and to which your Lordships' attention will very shortly have to be directed—I mean the class of cheap literature of the day which exercises a most deleterious and deadly influence over the children of all classes — an influence so great that even the parents of the worst families complain of the effect produced upon their families. The seeds of evil sown by this means will not fully ripen for some years, but if this class of literature be not repressed, in ten years' time its consequences will crop up in the most deadly proportion. I hope at some future time, with your Lordships' permission, to bring before you the whole subject—not with the view of asking your Lordships to pass a law upon it—because I believe it is beyond all law—but to set public opinion to work, which alone is capable of effectually dealing with this source of evil. I thank the Government heartily for having brought in a Bill of this character, and I hope that, with a few Amendments, the measure may be made to fulfil the important purpose for which it was intended.

THE EARL OF CARNARVON: I regard this measure as being, in many respects, a most valuable one, as it is, undoubtedly, a move in the right direction. In some respects, indeed, I should be inclined to say it scarcely goes quite far enough, while many of the clauses will require to be much modified before the Bill becomes law. I will not, however, trouble the House with any general observations upon the principle of the measure, but will content myself with referring to the remarks that have fallen from my noble Friend behind me (Lord Hylton), and from the noble Earl who spoke last. They both dwelt upon the fact, which is, after all, one of the most interesting facts of the whole measure, indeed the very essence of it, the supervision of discharged criminals. I want your Lordships to remember that transportation having now ceased, and ceased within only a few years, we have not as yet experienced the full effects which will result from turning out our criminals upon the country, and we must expect that, in a few years hence, a much greater number of criminals will be discharged upon the country than has been the case in former years. The noble Earl opposite (the Earl of Kimberley), in introducing the Bill the other night, told us that at the present time 1,500 or 1,600 criminals were discharged annually from the Government prisons; that that number would shortly amount to 2,000, and in a few years it might amount to 3,000. But, in addition to that number, there are upwards of 100,000 prisoners discharged annually from the various county and borough prisons, and I venture to say that a large proportion of these 100,000 criminals are quite as able and quite as apt in deteriorating and contaminating the rest of the population as the 2,000 or 3,000 convicts turned out from our great establishments. Under these circumstances, we have this alternative before us—we must devise means either for the absorption of these criminals into the great mass of the population, or for dealing with them by supervision. I do not see myself that there is any other alternative open to us in this matter. If we do not place discharged criminals under supervision we must take means to facilitate their absorption into the great bulk of the population. I cannot quite agree with the noble Earl when he says that the system of supervision has never been resorted to before, because it was adopted in the Act of 1864, and has been carried into operation with, as I am prepared to contend, very considerable success. The noble Earl dwelt upon the hardship which he says this system of supervision must entail upon its objects. I am far from saying that occasionally hardships might not have to be endured under its operation; but it must not be forgotten that Sir Richard Mayne, whose experience was so varied and so extensive, thought favourably of the system of supervision; and also General Cartwright, who has likewise had very considerable experience, reported in the most favourable manner of it. The system of supervision instituted by the statute of 1864 was that the discharged convict should report himself periodically to some person appointed for that purpose by the chief constable of the district. It is perfectly true that there have been evasions of those conditions; but the reason of those evasions is that each district has acted as it were by itself. Each chief constable has acted on his own authority, without very often being in communication even with the chief constable of the next district. The result has been that many persons have evaded the conditions by transferring themselves from one jurisdiction to another, where there was no means of identifying them, or of following them in any way. The Bill, however, provides a distinct remedy for the defects in the present system by directing that it shall be further extended, and it further provides that the system shall be consolidated, organized, and regulated by the establishment of a central criminal registry in the metropolis. I look upon the establishment of a central registry as the keystone of the whole system, and the Bill, by providing for it, will prove a great boon, because it will prevent many of the hardships and abuses which were pointed out by the noble Earl as likely to result from the adoption of a general system of supervision of discharged criminals. In that registry, which it is now for the first time proposed to establish, the whole of the antecedents of the discharged prisoners will be carefully entered. I had myself, last year, the opportunity of seeing in Liverpool a registration office which has been established there in order to provide for exactly the same object, and I understand, on the same principle, as that sought by the present measure. I inquired very carefully into the operation of the office, because I was most anxious to know what the manner of its working was; and so far as the inquiry led I satisfied myself that that registration made the supervision of the district a very effective piece of police machinery; and, so far from acting with any hardship toward the persons registered, it obviated all abuses, the convict himself entering into free communication with the officers of the registration department, who were frequently able to provide the men with honest employment. If the registry provided by that Bill could be of a similar character, and could act in the same way, he was convinced that it would be a great boon and benefit. I must, however, take the liberty of pointing out to the noble Earl opposite, who has charge of the measure, what I anticipate will prove a great improvement of one of its provisions. The noble Earl proposes to place this registry under the control of the Commissioner of the Metropolitan Police. Now, I think that the registry ought to be in close and direct communication with the Commissioner of the Metropolitan Police, but I do not think that it should be placed under his control. The Commissioner of Police has already a large amount of business continually pressing upon him, and if this registry is to be effective it will require very careful and attentive management. Under these circumstances, I think that it should be placed under the control of an officer specially appointed for that purpose. In the next place the metropolitan police force is but one authority out of many, and there is no reason that I know of for investing it with peculiar privileges and powers; and, lastly—which is the strongest argument of all—my right hon. Friend must remember that the police are employed in detecting and hunting out crimes, and are constantly acting as prosecutors, while the officer placed at the head of this registration department would be acting just as much in the interest of the ticket-holder as against him. His business should be quite as much to find them honest employment as to prove that there had been a previous conviction; and he ought, accordingly, to stand as an independent and neutral authority. I would wish to see the authority at the head of this department occupying an intermediate position between the police and the discharged convicts. It is by no means one of the least merits of this Bill, in my eyes, that it contains provisions affecting the sentences of magistrates at quarter sessions and the punishments awarded under them. I know very well that it is a delicate matter to limit the discretion of the justices in awarding sentence. We discussed that question at length some three or four years ago. I recognize the validity of the argument that, if you have Judges, able, competent, and trustworthy men, it is well to place trust in them and repose in them every discretion. But the real answer is that which was touched upon by the noble Lord opposite (Lord Romilly) that there is great diversity in the sentences of the Judges and magistrates at quarter sessions, and that if you can, by legislation, give them some standard and scale according to which they may frame their sentences, you are securing a very valuable object of judicial practice. It is not to be forgotten that the Act of 1864 did adopt the principle of limiting the discretion of the justices by laying down a certain minimum sentence. How far and in what way their discretion is to be limited is a question of degree into which I will not enter. It is a very difficult question; but at the same time it does seem to me that there are some principles which emerge from the wilderness of surrounding difficulties. The Bill contemplates two cases—that of a man who has been twice, and that of a man who has been thrice convicted of felony. I will take the case first of a man who has been convicted twice. The Bill is perfectly right, I think, in treating the second conviction as a proof of incorrigible guilt; for I am sorry to say that I believe, generally speaking, in spite of what fell from my noble Friend (the Earl of Shaftesbury) a second conviction is evidence that a man is becoming a confirmed criminal. I have certainly known cases where the fact was otherwise, and also cases where it was doubtful. But, on the other hand, I think it clear that the punishment for the second conviction ought not, under any circumstances, to be less than the punishment for the first. This is not a principle laid down in the Bill, but I think it well worth consideration whether such a limit as that might not be imposed. In awarding sentence too much regard is had very often to the value of the thing stolen rather than to the offence committed against the law. A man, for instance, whose first offence consists of stealing a sheep is committed to prison for nine or twelve months; but if, on the next occasion, he carries off some eggs he escapes with a couple of months' incarceration. I am convinced that is a mistake, and that the practice is harder in its results upon the criminal than if it had imposed upon him a severer sentence. Nothing can be more mischievous to the district to which a man belongs than his return after a short period spent in prison. Then, take the case of a man who has been convicted of felony for the third time. The Bill very rightly acknowledges that it is necessary to impose upon such a man a sentence of seven years' penal servitude. But I venture to ask my noble Friend why he stops there—why he limits the punishment though the offence may be repeated. The principle which should be acted upon is that punishment should go in proportion to the number of convictions. If seven years' penal servitude be a suitable punishment for three convictions, fourteen years would not be too great a punishment for four, and twenty years for five or six convictions, as the case might be. And this leads me on to say that I do believe in many of these cases it is a great misfortune that we do not impose longer sentences of incarceration. Numberless cases come before the criminal courts in which there have been as many as thirty convictions — sometimes forty, and I have known myself where there have been even fifty. It is idle to say that the subject of so many convictions is not absolutely and hopelessly hardened; they belong to a class of persons on whom punishment is really wasted, and the only thing that remains is to shut them up for the rest of their lives and keep them out of the possibility of doing any harm to society. I believe that such a course is best for them and for society, and that no objection to it can be reasonably urged. The convict establishments of this country are already paying their way, and the surplus cost is very light; on the other hand, if you look at the cost which a criminal puts the State to in his detection, trial, and other criminal proceedings, it is perfectly clear that the cheapest course for the country would be to shut him up. As far as the man himself is concerned, it is also the most humane and the kindest course. He exchanges a most miserable state of life outside the prison walls for one of comparative cleanliness and order inside. And if you calculate the time which such a man has spent in prison, broken only by the shorter intervals during which he has been let loose and again re-captured, it will be found that the difference between the period actually spent in prison and a life-long sentence would really be very slight in amount.

THE EARL OF AIRLIE wished to know why the operation of the Bill was to be confined to England and Wales? In one place, and in one place only, was the United Kingdom mentioned, and that was in the clause which provided for the establishment of a register of convicts. If the measure was attended with the degree of success that was anticipated, he feared the criminal classes would find existence in England so disagreeable that they would take refuge across the Border, or across the water, as the case might be—which would naturally prove very disagreeable to the country receiving them, which had already a sufficiency of the class manufactured at home. He was, of course, quite aware that the criminal law of Scotland differed in many respects from that of England; and, consequently, the clauses of this Bill might not in all respects be applicable. But he was informed that the Bill did contain provisions which were applicable to the case of Scotland, such as the clause which proposed upon a person once convicted the burden of subsequently proving that he was earning an honest living; and perhaps the Government might usefully refer the point for the consideration of the Law Officers.

LORD HOUGHTON: My Lords, I take a deep interest in this question, because the early part of this Bill—the most important part of its principle—is nothing more nor less than an extension of that principle of police supervision which I myself induced your Lordships to throw out in 1864. The Bill came here late in the Session, and the clause which your Lordships struck out was re-inserted in the Bill in the other House; and now, after a space of four years, your Lordships are asked, not only to retain that principle of supervision, but to extend it much further—and to carry it, indeed, to such an extent that, I do not hesitate to say that, if Parliament should pass this Bill in its present form it will be the duty of every man who takes an interest in the welfare of the criminal classes of the country to get the system of ticket of leave abolished altogether. Already the supervision exercised is such as to neutralize all the advantages that lie at the bottom of the ticket-of-leave system—namely, the enabling a certain portion of the criminal classes, after they have undergone their punishment, to be again absorbed in the population. Under this measure, however, a man once convicted would be an object of continued persecution and supervision; he would be liable to be hunted down by any policeman who was his enemy, and sent back to prison under circumstances of great exaggeration. I am very glad, from the remarks of the noble Lord opposite (Lord Portman), who is so high an authority, and the noble Earl who takes so deep an interest in these matters (the Earl of Shaftesbury), that this question will be seriously debated in Committee, and I trust that these clauses will be struck out. I wish to say one word on this principle of police supervision. Surely it would be well to consider whether, in admitting this principle—very new, alien to the habits of our people, and liable to be abused by some members in so large a body as the police—we are gaining anything of substantial value sufficient to authorize your Lordships in departing from your former legislation? If you can show me that the effect of adopting the principle of supervision will be such as really to root out the criminal classes, or even to make crime so difficult, so annoying, and so miserable as greatly to lessen the number of persons who are addicted to it, no doubt in such a case no theoretical principle of the liberty of the subject ought to stand in the way. In 1846 I had the honour of introducing a Bill into the House of Commons for introducing the reformatory system. Experience has since shown that all attempts to check the progress of crime in England by legislation of this kind, unaccompanied by preventive measures, have been totally useless. What is this Bill? I venture to say it is not the Bill of the present Government or of any Government at all—it has come to them from without. It is true that a distinguished authority has told us lately that this is the proper course of legislation, and that in obeying the voice of public opinion the Government did its duty. Now I must say that I think the author of this Bill ought to be named. The real author of this Bill is Sir Walter Crofton. It is the embodiment of the principles on which that gentleman consistently acted in his Irish practice, and which he has urged very strongly upon England for some years at public meetings and otherwise. No doubt a great deal of good has been done in Ireland; but there is this difference between the two countries. The measure has been in a great degree carried out in Ireland under Sir Walter Crofton's personal superintendence and that of subordinates whom he educated in his system. In this way the measure has, no doubt, been productive of great advantage in Ireland, and the evils incident to police supervision have been very much reduced. Now, however, we are asked to carry out a measure in England with all its disadvantages of a departure from our established social system, and to do it without any such men as Sir Walter Crofton or his trained subordinates to superintend its working. What will be the practical result of the Bill if it becomes law? That a large number of the criminals of this country may, at any moment, be taken up by the police and sent back to prison. And for what amount of incarceration? For a year. Have your Lordships reflected on the enormous number of men who are now living under distinct police supervision, who are known to the police both by sight and by name, and any one of whom, if this Bill passes, may be apprehended and committed to prison for one year? I do not think I am exaggerating when I say that not less than 1,000 persons might be taken up under this clause. If the effect of that would be to clear the country of so many criminals I am not the man to demur to it; but when the year is over the men will come out again, and they will find themselves under the same circumstances, equally incapable of any other life than that which they have pursued, and there will be no other resource but to send them back to prison for another year. I agree with the noble Earl opposite (the Earl of Carnarvon) that if you wish to deal finally and absolutely with these criminals there is no other way of doing it except by some form of imprisonment for life. In short, whether in respect to severity on the one hand, or laxity on the other, there is more in the Bill to criticize than to applaud. I shall be glad if the clauses of this Bill can be considered in a Select Committee of your Lordships' House. My noble Friend cast some slur on the proceedings of the Select Committees of this House; but during the short experience I have had in your Lordships' House, I have never seen a mode of discussing serious subjects in which matters have been more fairly stated and more deeply judged and considered than in Committees of your Lordships' House. I trust that, in any event, when the clauses of this Bill come before your Lordships they will receive the greatest consideration.

The Duke of CLEVELAND said, he hoped the Bill would not be referred to a Select Committee. It was desirable that such a Bill should be brought directly under the consideration of the public, and that could only be done by a discussion in the full House. He trusted the Government would not allow the measure to be frittered away by the elimination of the clauses relative to police supervision, because the principle of police supervision was the essence of the measure. He quite agreed with what was said by the noble Earl opposite (the Earl of Shaftesbury) as to the necessity of providing an able coadjutor for the Chief Commissioner of Police, to assist him in the discharge of the increased duties which would necessarily be thrust upon him. He begged to differ, however, from the noble Earl, who thought that a trifling second offence should be as severely punished as a grave second offence. So far from an extreme punishment for a trifling second offence being desirable, or likely to promote the object in view, it would have quite a contrary effect. For himself, he thought it was very doubtful whether a man who had been convicted three or four times was ever afterwards absorbed in the honest and industrious portion of the population. There was a great deal of truth in what had been said as to the desirableness of finding some sort of employment for criminals in certain cases, and he hoped some mode of doing this would be devised in connection with the registry to be kept for criminals. With respect to punishments, there was undoubtedly a great advantage of having a scale, so as to introduce some degree of uniformity; but such a system could not be rigidly carried out, and it would be better in all cases to leave a latitude for circumstances that might arise. Still there should be rather more classification than was contained in the Bill. In its essence the measure was a good one; it was a great attempt to meet an admitted and increasing evil. It was necessary to do something, and he believed the measure proposed by the noble Earl would meet with the general concurrence of the House.

The Earl of KIMBERLEY, before replying to one or two of the objections which had been made against some of the provisions of the Bill, which he would do very shortly, wished to clear away some misapprehension which existed out-of-doors with reference to a statement he made the other night as to the value of convict labour. It was extremely important that there should be no misunderstanding on this point. Those who looked to the judicial statistics alone might think he had been incorrect in stating that convict labour re-paid the expense of the maintenance of the convicts; but a memorandum had been prepared upon the subject by Colonel Henderson, late Director of Convict Prisons, which showed that the estimate made by him had not been made in any mere arbitrary manner, but was based strictly upon facts. That memorandum, which was open for the inspection of noble Lords, was to this effect—

> "The valuation of the labour of the convicts employed on the public works at Chatham, Portsmouth, and Portland is arrived at by actual careful measurement, priced out on a Schedule of Prices which have been approved by the three public Departments — namely, the War, Admiralty, and Convict Departments, for whom the convicts work, and a *resumé* of the details of the

measurements is published annually by the Directors of Convict Prisons and laid before Parliament. Every possible effort has been made to render these measurements and valuations unimpeachable, and the whole system will bear the most rigid investigation. The remissions are governed entirely by industry, tested by measurement of work, good conduct being a *sine quâ non;* misconduct involving loss of credit gained by industry. The reports of prison chaplains do not affect a prisoner's remission."

Passing from this point he desired to make one or two remarks upon some suggestions that had been thrown out in reference to the Bill, and for which he felt very much obliged. The noble Earl (the Earl of Shaftesbury) had adverted to the great hardship that would result from convicts upon license being required to report themselves monthly to the police. He quite agreed with the noble Earl in that observation. It was obvious that such a system would put these men to great inconvenience, for if they were in employment, they would have to ask leave once a month in order to go and report themselves to the police. That would prove a great hindrance to the man in the way of earning his livelihood, and was not at all necessary for the purposes of proper supervision. All that was wanted in reality was that convicts at large upon license should report to the police any change of residence. This gave quite sufficient control over him, and the monthly reporting system might therefore be very well dispensed with, and he understood that his right hon. Friend the Home Secretary had no objection to such a course. Clause 5 of the Bill provided that the Secretary of State might insert in any license, granted under the Penal Servitude Act, conditions different from, or in addition to, those contained in the Penal Servitude Act. This would, to a very considerable extent, meet the objections of his noble Friend; for he was not at all disposed to disagree with the noble Earl in thinking that the police supervision should not be carried too far. He thoroughly agreed with his noble Friend that, in exercising control over the convicts, care should be taken not to exercise it in such a way as to prevent them returning to honest employment. If they made these men desperate they would become worse instead of better, and caution was consequently essentially necessary. While this was so, however, they would all be of opinion that a certain amount of police supervision was not only necessary, but might be maintained without injury to the convicts. Colonel Henderson had prepared a memorandum upon the present mode of conducting this supervision in the metropolis, and in order to give their Lordships correct information on the subject before the Bill went into Committee he proposed to lay the Paper on the table with a view to its being printed, and similar information would, if possible, be procured from other parts of the country. He wished the House to observe that the great object of the Bill was to make the supervision more perfect, as at present it was not sufficiently satisfactory in consequence of the absence of the registry and that species of supervision which it was now proposed to establish. His noble Friend (the Earl of Carnarvon) had made some objection as to the mode of keeping the register; he would see if improvement could be made in that respect. The noble Earl (the Earl of Shaftesbury) drew a melancholy picture of the position of thieves and ill-doers unable to obtain employment in consequence of the supervision they were now subject to, and he was astonished to hear the noble Earl go so far as to say that a man was rather better when he committed a second offence than he was on the commission of his first offence. If that were so, it would be hard to say to what degree of improvement he might have arrived when he committed his tenth offence. Neither could he go along with another noble Earl (the Earl of Carnarvon) who thought that the punishment of a man should be increased in severity in proportion as his offences multiplied. That would be proceeding upon the reverse of the principle of forgiving one's adversary seventy times, and would rather be rendering him liable to seventy times more punishment than he might receive for the first crime. Such a continually ascending scale of punishment could not be carried out. The Bill went quite far enough when it declared that the minimum sentence for a third offence should be penal servitude for seven years. A noble Lord who spoke early in the debate (Lord Hylton) had directed attention to what he called the evils that might arise from vesting very large powers in the hands of a single policeman. When their Lordships came to read Colonel Henderson's memorandum, however, they would find that these large powers were not vested in the hands of a single policeman,—at all events, not in London—because that functionary had no power to arrest until he had reported to the Chief Commissioner and received instructions. That was the principle upon which the system of supervision embraced in the Bill would be worked out. Judging from the debate which had taken place the general feeling of the House seemed to be in favour of the Bill; and he thought that when the measure went into Committee it would be perfectly possible to discuss all the Amendments which might be desirable. He had been asked why the Bill was not extended to Scotland? The reason was because the criminal law in Scotland differed so very considerably from that of England that it would be impossible or inconvenient to embrace the two countries in a single Bill. Should this Bill be passed he had no doubt that the introduction of a similar system into Scotland would be looked upon favourably.

Motion *agreed to;* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Monday*, the 15*th Instant.*

ECCLESIASTICAL DILAPIDATIONS BILL [H.L.]

A Bill for the amendment of the law relating to Ecclesiastical Dilapidations—Was *presented* by The Lord Archbishop of York; read 1^{a}. (No. 25.)

CLERGY DISCIPLINE AND ECCLESIASTICAL COURTS BILL [H.L.]

A Bill for amending the constitution of the Ecclesiastical Courts, and for better enforcing the Laws Ecclesiastical respecting the discipline of the Clergy—Was *presented* by The Lord Archbishop of Canterbury; read 1^{a}. (No. 26.)

House adjourned at a quarter before Eight o'clock, to Monday next, Eleven o'clock.

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HOUSE OF COMMONS,

Friday, 5*th March*, 1869.

MINUTES.]—New Writs Issued—*For* Drogheda, *v.* Benjamin Whitworth, esq., void Election; *for* Scarborough, *v.* Sir John Vanden Bempde Johnstone, baronet, deceased.

Supply—*considered in Committee*—Supplementary Grants—Civil Service; Post Office Packet Service.

Resolution [March 4] *reported*—Supplementary Estimate—Abyssinia.

Public Bills—*Ordered*—Bankruptcy.

Second Reading — Court of Common Pleas (County Palatine of Lancaster) [26]; Sea Birds Preservation [28].

POST OFFICE — AMERICAN MAIL CONTRACTS.—QUESTION.

Mr. BAZLEY said, he would beg to ask the Post Master General, Whether the late Government, before its retirement from Office, renewed the Cunard Contract for seven years at the annual rate of £70,000; the Inman Contract for the same period at £35,000 per annum; and the North German Lloyd Contract at a letter-rate charge, terminable at six months' notice? he had given Notice also to ask, whether such contracts, if granted, are not infractions of the implied promises of Members of the late Government that in future a self-supporting system of Ocean Postage should be established?—but refrained from doing so at present; he however asked, whether, under these circumstances, it will not be the duty of the present Government to withhold the ratification of those contracts?

The Marquess of HARTINGTON: With regard to the first Question of my hon. Friend, I have to state that the old contract with the Cunard Company terminated on the last day of December, 1867; the arrangements for the conveyance of the mails between England and America for the year 1868 were of a temporary character, and included a fixed subsidy to the Cunard Company, and a payment at so much per weight of mails carried to the Inman Company, the North German, and the Hamburg American Companies. In August of last year tenders were advertised for by the Government for the conveyance of the mails for the present and future years, and, after some negotiations with the various companies concerned, contracts were entered into with the Cunard Company for two services a week for the yearly subsidy of £70,000; with the Inman Company for one service a week at £35,000 a year, and with the North German Lloyd Company at a payment of so much per weight of mails carried. It is therefore not quite accurate to say that the contract with the Cunard Company was renewed by the late Government, because an interval of one year occurred between the old contract and the present one, and the terms were very different. I am glad my hon. Friend has postponed his second Question, because it is not one which I should be justified in answering. The subject will be again before the House, and it will then be possible for my hon. Friend and those who agree with him to urge their views of the case, and for the Members of the late Government to defend their action in the matter. With regard to the last Question, I have to state that the contracts were completed before the present Government took Office, as far as they could be completed without the sanction of Parliament; they were placed on the table of the House on the 2nd instant, and if not disapproved within a month from that date they will become binding.

MR. HADFIELD said, he would like to know whether the noble Lord would take any steps for the establishment of 1*d.* postage between the two countries?

THE MARQUESS OF HARTINGTON said, this was a question that might very properly be discussed when the question of the contracts came before the House.

NAVY—GREENWICH HOSPITAL.

QUESTION.

MR. PEASE said, he would beg to ask the First Lord of the Admiralty, Whether it is true that after objecting, on the 29th May, 1865, to the creation of the sinecure office of Governor of Greenwich Hospital, he has constituted that office, with a salary of £1,200 a year; whether it is true that any of the seamen and marines of fifty-five years of age, and who have been for five years on the pension list have, in consequence of the appointment of the Governor of Greenwich Hospital, not received the pension intended for them; and, whether it is intended to increase the number of the medical officers of the Navy at Greenwich, or to allow them any pensions from the Greenwich Hospital Fund?

MR. CHILDERS: In answer to my hon. Friend, I have to say that on the 29th of May, 1865, being then a Junior Lord of the Admiralty, I objected to the creation of the sinecure office of Governor of Greenwich Hospital, and that on the 8th of June, in Committee on the Greenwich Hospital Bill, I defeated my gallant Friend, now Member for Stamford (Sir John Hay), who moved to insert a clause for this purpose, by 57 to 53. But he renewed his Motion on the Report upon the 18th of June, and on the part of the Admiralty, I gave way, and a clause was inserted in the Bill under which I undertook that on Sir James Gordon's death the office with a reduced salary should be continued. It happened that I was at the Admiralty again when Sir James Gordon died, and it has been my duty to carry out the arrangement. But the salary of the Governor is only £433; and as he remains on the active list, no additional charge for pay or half-pay is involved. In reply to the second question, I am happy to be able to say that there is no truth in this suggestion. The fact is just the reverse. One of my first acts was to inquire whether the 5*d.* a day pension might not be extended to all seamen and marines who had been for five years on the pension list, and were fifty-five years old, beyond the 5,000 originally proposed. This has been done, and the result is that instead of 5,000 men receiving £48,000 in 5*d.* and 9*d.* pensions as I proposed in 1865, 5,412 men now receive £59,407. In reply to the third Question, I may state that I certainly do not propose to appoint more medical men to Greenwich or any other hospital than are required for the public service, merely in order to give employment and salary, and I have no reason to anticipate that any more such officers will be required. Although it was not originally intended to give any medical pensions out of the Greenwich Fund, the Order in Council of the 16th of February, 1866, established fifteen such pensions of £80 and £50, at a cost of £780 a year. As to the intentions of the Admiralty with respect to this and other matters connected with Greenwich Hospital, my hon. Friend the Member for the Border Burghs (Mr. Trevelyan) will before long make a full statement to the House.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

FALSE WEIGHTS AND MEASURES AND ADULTERATION.—OBSERVATIONS.

LORD EUSTACE CECIL in rising to call attention to the state of the Law as regards the use of False Weights and Measures and the Adulteration of Food, Drink and Drugs, said, this was a most important question, and one which affected the interests of gentlemen who lived in comfortable houses at the West End, quite as much as it did those who lived in garrets in St. Giles's. The subject was an old and trite one. If he recollected rightly, Mr. Scholefield the late Member for Birmingham had brought one portion of the question before the House, and had succeeded in passing a Bill upon it, and on the latter portion of the Motion his successor had also introduced a Bill last year, which had obtained a second reading, but was not passed into law. The hon. Member for Frome (Mr. Hughes) had also brought forward a Motion on the subject of weights and measures, but from whatever reason it might be, whether it was from the inherent difficulties of the question or from the fact that the Government of the day had been always unwilling to undertake so difficult a task, all the well-intentioned efforts of hon. Members to legislate upon the matter satisfactorily, or to rouse public attention to the present state of the law had hitherto proved fruitless. When he asked himself why it was that this great nation, which boasted itself to be so practical and which was always ready to take up the grievances of other people, had submitted so tamely to this monstrous and increasing evil, the only answer he could give was that what was everybody's business became nobody's. But if any hon. Member doubted the magnitude of the evil, he would refer him to a Return which he had moved for last Session, of the number of convictions for the use of fraudulent weights and measures in the metropolitan districts between the 1st of July, 1867, and the 1st of January, 1868. According to that Return there were no less than 659 convictions in the metropolitan area, and that was exclusive of the five districts of Southwark, Newington, St. George's (Hanover Square), Paddington, and the Strand, which, for some reason best known to the local authorities, had made no return whatever. In other words, it appeared that, according to the Return, there were at the rate of 1,300 convictions for the use of fraudulent weights and measures in the year, and he need hardly tell the House that, with the imperfect system of inspection which now existed, for one person convicted probably three escaped. But if anyone was curious enough to analyze this Return still farther, he would find the most astonishing statistics as to the way in which the poorer classes in this metropolis were habitually cheated. Now, taking the City of Westminster—and he did not do so for the purpose of casting any slur upon it, because he believed that if, as happened to be the case, it stood at the head of the list, that circumstances was owing not to the fact that it was worse than its neighbours, but rather that the duty of the inspectors had been better discharged—well, in the City of Westminster there were 100 persons convicted in the six months, and, on examination, he found that of these twenty-four, or nearly one-fourth of the whole, were licensed victuallers and forty-seven were dairymen, greengrocers, cheesemongers, and others who supplied the poor with food, making in all 70 per cent of provision dealers. That would give the House some idea of the great extent to which this kind of fraud was carried out in the case of the poorer classes. The only wonder was that any result of the kind had been made public at all; because, when he looked at the number of inspectors who were employed in large districts, he could not but think that it was beyond the physical capacity of any man to discharge the duties properly which fell to their lot. He found that in Middlesex, one of the most important counties for its wealth and the number of its houses, though the smallest in area, there were only four inspectors of weights and measures, and that not only were these gentlemen compelled to do their duty in the county, but that many districts which would otherwise have fallen under local Acts were visited by them also. He was quite aware that the system of payment, too, was anything but what it ought to be. The inspectors of weights and measures were paid in a manner unfair to the public and to themselves—namely, by the very objectionable system of fees, and the consequence was—as happened the other day in Middlesex—when the moiety of fees did not come up to the travelling expenses of the inspector, there was a direct premium to his sitting still and doing nothing. He was also aware that in many other districts of the metropolis there were what were called "Local Acts," under which the local bodies appointed their own inspectors. But of the way in which those inspectors did their duty, he could not give a better idea to the House than by stating, what he had on the best authority, that in the district of St. Pancras there were twenty-four gentlemen appointed by the vestry without any stated remuneration whatever, and in the parish of Islington there were twelve gentlemen appointed by the vestry at the magnificent salary of £30 a year, to be divided amongst them. He left it to the House to imagine how an unpleasant duty of this kind was discharged when it was paid for in that way. He should probably be told by the right hon. Gentleman the President of the Board of Trade when he got up to reply, that the whole of this question was under consideration, that there was a Commission at this moment sitting, and that their Report might shortly be looked for. But that was exactly what he complained of. For the last two or three years that Commission had been sitting, and when any Members who took an interest in the subject asked Questions or moved for Returns, they were invariably told that the matter was under consideration. And all this time there were hundreds and thousands of the poorer classes who were suffering because there was no legislation on the subject. He would now pass to that portion of his Motion which related to the Adulteration of Food and Drink, a subject which concerned the welfare, comfort, and happiness of the poorer classes quite as much as that on which he had already spoken. There were many Gentlemen in that House who, no doubt, thought that the questions which interested the poorer classes were those which had to do with the ballot, the re-distribution of seats, or the Irish Church. But these were mainly political questions; the question of which he spoke was a question of daily food, a question very often of health or sickness, and he might even say of life or death. The right hon. Gentleman the President of the Board of Trade, in one of those addresses by which he had electrified his constituents and the public, stated that the great panacea for the ills of the working classes was a free breakfast table. Now he (Lord Eustace Cecil) was the last person in the world to object to any revision of taxation, if it were based upon really sound grounds. But, with all due deference to the right hon. Gentleman, there was one thing of even more importance—namely, a breakfast table free from all impurities. It was not necessary for him to appeal to medical gentlemen, in or out of that House, to prove that purity of food was of vital importance, whether to the child in its cradle, to the boy at school, or the workman who had to earn his bread by the sweat of his brow. Those were simple truisms with which anybody who had thought upon the matter at all would not hesitate to agree. Purity of drink was also of the greatest importance to the poor, because many of the vices and crimes common to that class were connected with it. Take, for instance, the criminal brought before a court of justice, or the case of the soldier and the sailor when brought to the bar of a court-martial, and ask them what it was that first got them into trouble. Their answer would be that it was some nasty stuff they drank at a public-house. Or go into any of the streets of our large towns, and ask some of those wretched women—the disgrace of our civilization—who were to be found there, and they would tell you that much of their wretchedness was due, in the first instance, to drugged liquors. Well, what, under these circumstances, had the Legislature done in that matter? As far as he could make out, it had simply punished the crime of adulterating food by a trumpery fine, quite disproportionate either to the offence or the wrongful gains of the delinquent. And here he would briefly examine the state of the law. Passing by the 9 *Anne*, the 17 & 56 *Geo.* III., the 3 *Geo.* IV., the 1, 6 & 7 *Will.* IV.—Acts all relating more or less to the adulteration of beer, tea, and bread—the first comprehensive Act which dealt with the subject was the 23 & 24 *Vict.*, which was passed mainly through the efforts of Mr. Scholefield; and he ventured to say, in no disrespectful spirit to that Gentleman's memory, that that Act was a mockery and a delusion, and had entirely failed in its object. Many of them would recollect that a Committee sat in 1855-6 to inquire into that question. A number of witnesses of the highest scientific acquirements were examined, the public attention was generally drawn to the matter, and the result was—he was sorry to be obliged to call it so—one of the most ridiculous measures that ever became law. After reciting that the sale of adulterated articles of food and drink, being hurtful to health, ought to be repressed by more effectual legislation, it enacted that the person selling such articles, knowing them to be injurious to health, should be subject to a penalty not exceeding £5 and costs; so that any tradesman might, as far as that clause was concerned, knowingly ruin his neighbour's health on paying £5 and costs. Then, for a second offence, if he had as was probable, poisoned scores of people, and ruined the health of scores of others, the justices had power—to do what? To imprison him, or send him to the Assizes? Not a bit of it; but to publish his name, residence, and offence in any way they thought desirable at his own expense. Thirdly, the Act gave a power—which he believed never had been put in force—to appoint analyists, but not a word was said about the payment of them. Fourthly, it provided a protection, forsooth, against articles of food being tampered with by purchasers. Fifthly, there was a power for the purchaser and the justices to have food analyzed; from which it would appear that the purchaser had to test the food at his own expense. And, lastly, it was provided that this precious Act was not to apply to medical drugs or articles usually taken or sold as medicine. So that it came to this, that the baker who adulterated a loaf of bread with a certain quantity of alum was, if convicted, to be punished with a fine of £5 and costs; but the chemist, who had to supply the necessary medicine to get rid of the alum, escaped with perfect impunity. There was not a word in the Act about the appointment of a really good body of inspectors or supervisors, which he thought a most important point; and he should be very glad to see in any measure brought in on that subject, that an efficient body of such officers was to be appointed, so that any penalties which might be enacted by law should be really enforced. Perhaps some might think he took rather an exaggerated view of the present state of adulteration as far as food and drink were concerned; but let such hon. Members, if there were any, read some of the evidence given before the Select Committee to which he had referred; and if they thought that commercial morality was superior now to what it was in 1856 and 1857 he would request them to look at the too frequent cases which constantly appeared in the papers of fraud, both in high and in low quarters. But if they wanted some more modern testimony as to that point, he would refer them to the very able Report drawn up by the chemical officer of the Board of Revenue, Mr. George Phillips; and if they were still dissatisfied he would suggest to them that they should go to the first public-house in town, or out of it, and ask for a glass of beer. He would not trouble the House with a long list of all the disagreeable things which they had to swallow, nor with details of the exact quantities of alum, or red lead, or vitriol, or any other of the pleasant compounds which had been known to enter into their daily food. It was sufficient for him that it had been shown, on indisputable evidence, that those things did exist. It was said that a man must swallow at least a peck of dirt in his lifetime, but he suspected that many of them had to swallow a great deal more. He might mention what occurred not very long ago in the Committee on the Malt Tax, of which he was a Member. Every agricultural witness examined before that Committee testified to the fact that the beer sold in public-houses was adulterated. Now, in speaking of the adulteration of beer, he did not for one moment bring a charge against the great brewers. He believed that the evidence cleared them entirely from all suspicion of adulteration, but this could not be said of the public-houses. Not only did the gentlemen to whom he had alluded speak unanimously of the way in which beer was adulterated, but there was one practical witness who asserted from his own daily knowledge that such was the fact. The only labourer who was examined gave his evidence in these terms. He was asked—"Can a man do hard work on publican's beer?" and his reply was "No." "What effect has it?" he was next asked, and he answered—"The beer is so bad that he cannot work." "It gets into his head?" Answer—"Yes." It makes him feel so bad?" Answer—"Yes; it makes a man feel too bad to do hard work. He always wants to be drinking." Now, there was one fact which established beyond doubt that this man's evidence was truthful—

namely, the fact that the importation of *cocculus Indicus* had largely increased within the last few years. *Cocculus Indicus* was a narcotic of an intoxicating and stupefying character, and, as far as he was aware, was only used in this country for two purposes, the poisoning of fish and the poisoning of men. He found that in 1857 the quantity of the drug consumed in this country was only 68 cwt., but in 1858 it had increased to 394 cwt.: while in the years 1867 and 1868 the quantities consumed were respectively 689 cwt. and 1,064 cwt. The drug was thus extensively used notwithstanding the fact that the very heavy duty of 5*s.* per cwt. was levied upon it. No wonder, then, that the statement made by the poor man before the Committee was perfectly true with regard to many labourers in the country. No wonder that he complained that they could not do their work, and that they always wanted to be drinking. We often heard of labourers being knocked down with sunstroke during the hot season, but we ought not to be greatly surprised at this if we remembered that an enormous quantity of *cocculus Indicus* was imported into this country and that this subtle poison entered into their daily drink. Then there was another article which he believed was very considerably adulterated, and it was one which our seafaring population were especially interested in obtaining in a pure state. It was only the other day that he read a newspaper paragraph which stated that in Liverpool it was quite impossible to procure limejuice of sufficient purity to meet the requirements of the Board of Trade. Of course, he could not vouch for the truth of the statement, but if it were true, such a fact certainly did not tell well for our commercial morality. He thought he had sufficiently proved that the law required amendment of some sort. In his opinion a penalty of £5 and costs was much too insignificant to prevent the recurrence of this class of offences, and the law was likewise defective because it did not provide for a proper supervision and inspection with regard to weights and measures as well as the adulteration of food. Should a Bill on this subject be introduced, it would be well to consider what was the practice in foreign countries with respect to these matters. He found that in almost every civilized country the provisions of the law were far more stringent than with us. In France, for example, all frauds of this kind were under the supervision of the police. A commissary of police had a right to enter premises and seize any suspected goods he might find, bearing all the responsibility, of course, if the seizure were a wrongful one. Then the inspectors, both of weights and measures, and of food, were not, as with us, retired tradesmen, but were appointed by a central authority—the Minister and Prefect. With regard to drugs, there was a special body, called *Inspecteurs de Pharmacie*, and the tribunals had the power to punish offenders with fine and imprisonment, to advertise the names of delinquents, and to order the adulterated goods either to be destroyed before the owners' doors or to be confiscated for charitable purposes. The law of Prussia was still more stringent. Whoever knowingly used false weights and measures in that country was liable to imprisonment for three months, to be fined from fifty to 1,000 thalers, and to suffer the temporary loss of his rights of citizenship. Secondly, where false weights and measures were not regularly employed, a fine of thirty thalers might be imposed, or the delinquent sent to prison for four weeks. Thirdly, the adulteration of food or drink was punishable with a fine of 150 thalers, or six weeks' imprisonment. Fourthly, if poisonous matter or stuff were employed, the offender was liable to imprisonment for a term not exceeding ten years. Fifthly, where adulteration was proved to have caused severe physical injury, a sentence of from ten to twenty years' imprisonment might be passed. And yet in this country offences of this nature could only be punished by the imposition of a penalty of £5 with costs. It might, however, be asked why he, who had gone so deeply into the subject, and had pointed out the defects of the existing law, did not try his hand at amending it in the best way he could? His reply was, that questions of this kind could be much better dealt with by Government. For his own part, he was very much opposed, as a rule, to private Members bringing in measures of a national character. Now, this subject was one which, in his judgment, ought to have been looked into and legislated upon long ago. He had hoped that the late Government would have taken it up, but they had too much of other work on their hands. Besides, they had not the power, if they had the will, to do justice to it, on account of the powerful Opposition arrayed against them. He might, indeed, say that the late Government only existed on sufferance. This, however, was far from being the case with the Government now in Office, who, being backed up by a majority of over 100, had the power, and, if report spoke truly, the will also, to deal with this question in a satisfactory manner. He sincerely trusted, however, that the Government would not appoint either a Committee or a Royal Commission to investigate the subject, for in nine cases out of ten the labours of Commissions and Committees led to the shelving of the questions which they were appointed to consider. Of information regarding this matter, and, he might add, of delay also the country had had quite enough. What was required was action, immediate action; and the Minister who should deal with the subject quickly, thoroughly, and comprehensively would entitle himself to the gratitude of the whole community, and would go down to posterity as one of the greatest benefactors to the labouring classes.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that Her Majesty's Government should give their earliest attention to the widespread and most reprehensible practices of using False Weights and Measures and of adulterating Food, Drink, and Drugs, with the view of amending the Law as regards the penalties now inflicted for those offences, and of providing more efficient means for the discovery and prevention of fraud,"—(*Lord Eustace Cecil,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. POLLARD-URQUHART said, it was clearly shown by the evidence which had been taken before the Committee to which the noble Lord (Lord Eustace Cecil) had particularly referred, that the chief cause of adulteration was the legislation which had rendered the food and drink consumed by the working classes artificially dear. Let that cause be removed, and the evil itself would, to a great extent, cease to exist. Among the witnesses who spoke to this effect before the Committee were Professor Taylor, Mr. Gray, and Professor Calvert, of Manchester. He very well recollected the eloquent terms in which the First Lord of the Treasury in 1861 dwelt upon the expediency of reducing the duty on wine, so that the temptation to adulterate it might be taken away, and the same argument applied, in his opinion, with equal force to such articles as tea, sugar, and coffee. It was extraordinary, he might add, to what an extent the adulteration of whisky in Ireland had increased since an additional duty had been imposed upon it by the right hon. Gentleman. The quantity sold had diminished, but then the consumption of it was now in many instances accompanied by *delirium tremens*, verging sometimes on insanity to an extent which never previously existed. The way to put an end to the evil which led to such results was not by the agency of the police, but by doing away with the temptation which was the real cause of its prevalence. The Government which should accomplish that object would, he quite agreed with the noble Lord, be great benefactors of their country.

Mr. POCHIN said, he thought the noble Lord had done good service by directing the attention of the House to the subject, though he (Mr. Pochin) was of opinion, that the reason why there had not been more prosecutions under the Act of the 23 & 24 *Vict.* for the prevention of adulteration was, that adulteration was not so general as the House and the country had imagined. Adulteration might be divided into two classes; first, that which simply reduced the commercial value of the article sold to the public; secondly, that which was calculated to interfere prejudicially with the general health of the community. Under the first head he was of opinion that a very serious amount of adulteration existed, and the attention of the Government had very properly been called to it; but he doubted very much whether the statement of the noble Lord was correct so far as adulteration affecting the general health of the people was concerned. His own impression was—and it was the result of much careful investigation of the subject—that the articles of food which were adulterated in such a manner as to affect to any material degree the public health, were exceedingly restricted in number, and a thorough examination of the evidence which had been taken on the point would, he ventured to say, establish the soundness of that view. The greatest service which had been done the country in connection with the subject, was that which had been rendered by the Analytical Commission which prosecuted its labours some fourteen or fifteen years ago, under the able direction of Dr. Hassall, the result of whose investigations had been published in *The Lancet*. The result of the inquiry went to prove that while the articles which were adulterated were very numerous—there being scarcely any article of commerce which was not adulterated—yet adulteration tending to injure the health of the community was extremely limited. He believed indeed he was right in saying, that the list of articles which had been found to be adulterated to an extent deeply injurious to health, was pretty nearly confined to pickles, sweetmeats, and Cayenne pepper. It had indeed been discovered that there was scarcely a single sample of arrowroot which was not extensively adulterated; but then it was adulterated with inferior and less expensive varities of farina, injurious rather to the pocket than to the health of the consumer. He had another reason for believing that the conclusions at which he had arrived in the matter were correct. Soon after the passing of the Act 23 & 24 *Vict.*, the Act was taken into consideration by a very energetic Committee, who conducted its labours in Manchester, connected with the Sanitary Association, and whose members were of opinion that adulteration injurious to health very largely prevailed. They accordingly persuaded six of the most eminent chemists in Manchester to examine articles collected from all parts of the town, and to report upon them. He held in his hand the Report which was drawn up as the result of that investigation by Dr. Angus Smith, who he understood held some official position under the Government, and than whom a more able man as the head of such an inquiry could not be found. The conclusion arrived at by the Committee was, that out of eighty substances which had been procured from shops in which the labouring classes dealt extensively, none were adulterated in a way deeply to affect the public health; and he was happy to be able to add that the evil of adulteration, instead of being constantly on the increase, was rather shown to be diminishing, by the evidence furnished by recent investigations. He did not, however, mean to contend that the question was not one in which the Government might very well take action. Nothing was more objectionable than that there should be any mistake with respect to it out-of-doors, and he could very well imagine, that if the statement of the noble Lord were to go forth to the public unquestioned, that articles of food and drink were so adulterated as to be deeply injurious to health, the shock to the nervous system of a large portion of the community would be far more prejudicial than any actual amount of adulteration which now exists. What the House wanted were the real facts of the case, and the Government had it in their power to supply these at a comparatively small outlay. He agreed with the noble Lord, that it would be useless to appoint a Committee or a Commission, before which anybody who had a bee in his bonnet on this subject might exhibit the bee, as had been done in the case of the last Committee. He thought the proper action of the Government would be to follow the course prescribed by the late Mr. Wakley, by placing the matter in the hands of one or two official analysts, such as Mr. Phillips, of Somerset House, and Dr. Angus Smith, and he felt satisfied that if those gentlemen associated with themselves a microscopist, they would give to the country the exact state of the case. Parliament would then legislate with much greater certainty and confidence than it could at present. Two kinds of adulteration had been specially named — the mixing of alum in bread and *cocculus Indicus* in beer. Now he was not going to dispute the poisonous nature of *cocculus Indicus*, but no one had yet shown that the effects produced on the system by intoxication from *cocculus Indicus* were more injurious than intoxication from spirit. As to the presence of alum in bread, the general opinion on this point was quite at variance with that of the most able chemists. Professor Liebig had acknowledged that the ordinary mixture of alum in bread as practised in this country was not injurious, but positively beneficial. [*Laughter.*] Hon. Members laughed, and he should like to convince them by going into the question somewhat technically. In general terms, however, he might say that flour contained a quantity of gluten, which very readily passed into a state of decomposition and decay. The presence of a small quantity of alum arrested that decay, and enabled the baker to produce by the use of seconds flour a very much superior bread than would otherwise be possible. The substitute which Liebig recommended the baker to use in such cases was caustic lime. Hon. Members might take their choice between the addition of alum and caustic lime; for his part he preferred the alum, and he thought that would be the general judgment of the community. He had said that the general health was not extensively interfered with by adulteration; but adulteration was practised so as to amount to a fraud upon the community. It was, therefore, rather on the ground of injury to the pocket, than of injury to health, that he joined the noble Lord in urging the Government, to give their immediate attention to this very important subject.

Mr. BRIGHT: The noble Lord (Lord Eustace Cecil) has taken great pains upon this question, and has brought before the House a great amount of detail in connection with it. As I listened to his observations I hoped and believed that there was, though it was entirely unintentional, no little exaggeration in them. Although there may be particular cases in which great harm to health and great fraud may possibly be shown, yet I think that general statements of this kind, implicating to a large extent the traders of this country, are dangerous and are almost certain to be unjust. Now, my hon Friend, the Member for Stafford (Mr. Pochin), who has just addressed the House in a speech showing his entire mastery of the question, has confirmed my opinion, for he has shown—and I dare say he knows as much of the matter as any Gentleman present—that there is a great deal of exaggeration in the opinions which have prevailed in many parts of the country, and which have even been found to prevail upon the matter in this House. The proposition of the noble Lord is—

> "That it is expedient that Her Majesty's Government should give their earliest attention to the widespread and most reprehensible practices of using False Weights and Measures and of Adulterating Food, Drink, and Drugs,"

and so on. Now, I am prepared to show that the exaggeration of the noble Lord —I do not say intentionally, of course; I am sure he is incapable of that—is just as great in the matter of weights and measures as in that of adulteration. Probably he is not aware that in the list of persons employing weights that are inaccurate—I do not say fraudulent—no distinction is drawn between those who are intentionally fraudulent and those who are accidentally inaccurate, and that the penalty is precisely the same, and the offence is just as eagerly detected, whether there be a fraud or merely an accident. Now the noble Lord will probably be surprised when I tell him that many persons are fined annually, not because their weights are too small, but because they are too large. In fact, when the weights are inaccurate but are in favour of the customer, still the owner and user of the weight is liable to the penalty and is fined. I have here a statement made by the Secretary of the Standards Commission, to which this matter has been referred, and he says—

> "During recent years many Returns have been laid before Parliament of convictions for false and unjust weights and measures, more especially in the metropolitan district, and a close examination of these Returns will show very few convictions for fraudulent weights and measures. The great majority are for defective or unjust weights and measures, deviating more or less from the standard, many of these deviations being of comparatively trifling amount, and frequently in favour of the purchaser—that is to say, the weights are too heavy and the measures too large. The convictions for unjust balances are also, for the most part, for defective, not for fraudulent balances."

That is a statement, coming from undoubted authority, which may, I think, relieve our countrymen connected with trade from the stigma attaching to them that there exists a general or widespread system of using inaccurate and fraudulent balances. An Act on this subject was passed in 1835, and penalties were inflicted as I have said. The noble Lord is against any more Commissions or Committees, and I do not ask for them for a moment, but a Commission is now engaged in inquiring into this very subject. It was appointed with a view to a revision of the standards, because, while fining shopkeepers for the use of inaccurate weights, it was found in a great many cases that the standards themselves were inaccurate, and for a tradesman to be fined because he did not keep his weight by an inaccurate standard seems to be rather a stretch of power. This Commission is now sitting; they have extended their inquiry to this very Act to which the noble Lord alluded. In four or five months their Report will be made, and there is an expression of opinion on the part of the Secretary that the whole of the laws connected with weights and measures appear to require revision, and that a comprehensive measure is required for amending and consolidating those laws. The Report of the Commission will not be issued for some time, and as Parliament has on its hands, probably, quite as much as it can do in the present Session, I do not think that any legislation will be possible this year. Now I come to the question of adulteration. My late lamented Friend and Colleague, Mr. Scholefield, brought in a Bill in 1860 or 1861. He was much urged to do this by very enthusiastic constituents of his who took a prodigious interest in the matter. I have not the Act before me, and I do not know exactly how far its provisions extend; but it gave corporations and magistrates power to appoint analysts who should take care to examine into adulterations, and penalties were to be inflicted under the Act. If the corporations and the magistrates have not sufficient interest in the matter; if the people who elect the corporations care so little about it, I think that is fair evidence that the grievance is not near so extensive and injurious and burdensome as it has been described by the noble Lord. My own impression with regard to this adulteration is that it arises from the very great, and, perhaps, inevitable competition in business; and that to a large extent it is promoted by the ignorance of customers. As the ignorance of customers generally is diminishing, we may hope that before long the adulteration of food may also diminish. The noble Lord appears to ask that something much more extensive and stringent should be done by Parliament. The fact is, it is vain to attempt by the power of Parliament to penetrate into and to track out evils such as these on which the noble Lord has dwelt at such length. It is quite impossible that you should have the oversight of the shops of the country by inspectors, and that you can organize a body of persons to go into shops to buy sugar, pickles, and Cayenne pepper, to get them analyzed, and then to raise complaints against shopkeepers and bring them before the magistrates. If men in their private businesses were to be tracked by Government officers and inspectors every hour of the day, life would not be worth having, and I should recommend them to remove to another country, where they would not be subject to such annoyance. The question, too, as the noble Lord has put it, is one of great difficulty, because, if the Government proposed to legislate on the whole of this matter, I suspect it would be found that, in the clauses of a Bill, however carefully it might be drawn, there would be points that would create so much difference that it would be impossible to settle them. It was the case, I know, when my late Colleague brought forward his Bill, and it was found almost impossible to pass it through the House. If any hon. Member chooses to go into this question before the Government can touch it, and to suggest a measure which he may think will be likely to give satisfaction, the Government will be perfectly ready to examine it, and give it fair consideration. I regard these subjects as about the most difficult, and, at the same time, I think, about the least advantageous to which Parliament can devote itself. Most of the Bills of this kind which have been passed during the twenty-five years I have been in Parliament have failed in their operation, and I suspect that most of the attempts which will be made hereafter will be equally unsuccessful. The question of weights and measures is a different one; it is simple; you can reduce it to an accurate standard; and Parliament can accomplish something. The Report of the Commission will soon be made; and it is, I believe, the intention of the Government, as it would be my own disposition, when it is made, to take such steps as may appear best, with a view to asking Parliament for fresh legislation on this subject. I shall be glad if, after this answer and explanation, the noble Lord may not deem it necessary to press the Motion which he has placed on the Notice Paper.

MR. BENTINCK said, the House and the country ought to feel obliged to the noble Lord (Lord Eustace Cecil) for the way in which he had brought the question forward; but he did not regard the reply of the right hon. Gentleman the

President of the Board of Trade as satisfactory. Every householder must have felt extreme difficulty in obtaining articles of food that were not more or less adulterated; and, however much the hon. Member opposite (Mr. Pochin) might be master of the subject, all the speeches he might deliver would not convince the House that bread without alum was not more wholesome than bread that contained it. But when the right hon. Gentleman spoke of tradesmen going abroad to avoid inspectors, he should remember that in France, and other countries, every baker and every vendor was under the strict and watchful eye of the police; and that a baker in France dare no more sell adulterated bread than commit an offence against the criminal law. The result was, that on leaving behind the alum loaf at an English port you got excellent bread at the first port or station you stopped at in France. Again, from the north to the south of Italy, as the Prime Minister would know, you would find no bread adulterated or food tampered with. If the Government would inquire into the practice of foreign countries as regards the inspection of food, they would learn a useful lesson which might be applied in this country at a future time with great benefit. In attributing adulteration to Customs duties, the hon. Member opposite (Mr. Pollard-Urquhart) no doubt alluded to tea, coffee, and sugar, but he forgot that that argument did not apply to bread nor to flour, which was as extensively adulterated as anything in this country. The other day, visiting a family in London, who were having bread made, he inquired and found that the flour was obtained at a distance because it was impossible to get it pure in the neighbourhood. The taking of the duty off wine had not lessened the adulteration of that article, and no man had more sins on his back than the Prime Minister had for taking off the duty. Its removal offered a premium to foreigners to send to this country every kind of poisonous mixture. As to weights and measures, why not bring in a measure to discriminate between fraud and unintentional error? Nothing was so unsatisfactory as the arbitrary power vested in the magistrates. In the county of Cumberland an eminent tradesman, who had one large establishment and many shops in different districts, was discovered to be using weights and measures that were, not colourably, but actually, false, and when this eminent tradesman—who dealt among other things in so-called Liberal politics—was before the magistrates, and the case was proved, they said that really this tradesman was such a very respectable man it was quite impossible he could have known what he was doing, and they did not fine him. The protection of the public required that every individual who had false weights should be severely punished; and it would be well if the right hon. Gentleman the President of the Board of Trade would consider the expediency of adopting a mild measure of punishment resorted to in France—that of compelling the convicted tradesman to provide a placard setting forth his guilt, and to exhibit it prominently in his place of business. In the hope that the Government would pay early attention to the subject, and bring forward a measure upon it, he should advise his noble Friend to withdraw the Motion.

Mr. PEEK, as one whose business for thirty years past had been in the colonial markets, which covered the principal articles of the breakfast table, had no hesitation in saying that, the country through, fully a hundred tons of tea as imported were retailed, to every pound adulterated here. In some minor articles a good deal of adulteration, no doubt, went on; but the motive was extra profit, and very few of the adulterating materials were injurious to health. With regard to the punishment of persons using false weights and measures, he believed it would be unwise to increase the penalties, and both unjust and cruel to make, as had been suggested, the punishment imprisonment—the clerks to the magistrates, both of Middlesex and Surrey, agreeing that in fully 80 per cent of the cases brought before them, the inaccuracy arose from carelessness rather than design. That morning above 200 licenses had been brought before his petty sessional bench; of the very few complaints made throughout the expired year, only one was of at all a serious a character.

Amendment, by leave, *withdrawn.*

RAILWAY ACCIDENTS.—QUESTIONS.

OBSERVATIONS.

MR. SELWIN-IBBETSON said, he would beg to ask the President of the Board of Trade, If his attention has been called to the increased number of Railway Accidents during the last few months, arising from the enormous traffic now carried on by the principal lines? He divided accidents on railways into two classes—those which arose from circumstances in some measure under control, and those which occurred in defiance of reasonable supervision. At present it happened that when a fatal railway accident occurred it excited public attention but for a few days, a jury inquired into the circumstances which led to the deaths, sometimes their deliberations ended with a simple verdict, and at the most one or two of the company's servants were committed on a charge of manslaughter. He maintained, however, that accidents were, in most cases, the fault of the system and not of the servants; the lines were gorged with traffic to such an extent that the delay of a minute, in some instances, would lead to the most deplorable results. He had noticed more than four-and-twenty accidents had occurred during the last four months, nineteen of which were collisions of trains, and eight of these had been marked by gross carelessness. But, as the House would, perhaps, prefer the statistics of a Government Department to these collected by an individual, he gave a digest of the Board of Trade Returns of Accidents during the last four years. From these, it appeared that the collisions far exceeded accidents of other descriptions, and that the percentage of personal injuries was larger in the case of collisions. During 1864, 88 accidents of all kinds occurred; 59 of them were collisions, and 29 other accidents. The passengers killed and injured in the collisions numbered 642, and in the other accidents 142. In 1865, there were 112 accidents, of which 69 were collisions, and 43 others; the killed and injured in consequence of the collisions numbered 838, and in the other cases 267. In 1866, there were 75 accidents, 53 collisions, and 22 from other causes; the killed and injured in the one case were 498, and in the other 114. In 1867, which was the last year dealt with by the Returns as yet, 106 accidents occurred, 65 through collisions, and 41 from other causes; the killed and injured in the one case were 571, and in the other 221. These were remarkable facts; they showed that collisions were not only more frequent than all other kinds of accidents put together, but that they were also more fruitful of personal injury. The four years showed a total of 246 collisions, as against 135 other accidents; the killed and injured from the collisions numbered 2,549, and from accidents through other causes 744, giving a proportion of 10¼ persons injured by each collision against 5½ by each accident from other causes. He trusted the Government would study these statistics, and see what could be done to remedy the defects in our railway system, of which they were the result. In conclusion, he asked whether it is the intention of the Government to do anything with a view to regulate such traffic, so as to give greater security to passengers; and, if not, whether they would grant a Select Committee to inquire as to the best method of regulating such traffic, either by the establishment of a separate line for the conveyance of goods, or by a compulsory system of telegraphic signals?

ACCIDENTS IN THE CARDIFF DOCKS.

OBSERVATIONS.

MR. CANDLISH called the attention of the House to the great loss of life by drowning in the Bute Docks at Cardiff. Though the Notice which he had put on the Paper was limited to the Bute Docks, the facts he had to bring forward applied to the whole of Cardiff harbour. From 1862 to 1868, both inclusive, no fewer than 208 human beings had lost their lives by drowning at Cardiff, which was nearly at the rate of 30 a year. In 1862, 21 persons were drowned; in 1863, 24; in 1864, 30; in 1865, 32; in 1866, 37; in 1867, 34; and in 1868, 30; making a total of 208. In some years every month had its human sacrifices. He would ask was there anything special in Cardiff from which this loss of life must necessarily result? He was informed that there was nothing like it even in London or Liverpool. One of the causes he was told was that there were no railings or chains by the water's edge, and again and again people walked over into the water. Another cause was that in one of the docks there was not a single light; in another the lighting was very imperfect, and in both there was want of watching. Again, the coals shipped there gave off a light kind of dust which lay alike on the water and the ground, and the consequence was that people mistook the one for the other. The question was whether this loss of life was preventible. He did not suppose that any precaution which could be adopted would prevent the loss of some lives wherever there was work and water, but he believed there was a preventible loss here, and that either the Government or the House, which had given power to construct these docks, ought to see that proper arrangements were made for the preservation of life. Many of the accidents, he was told, might be prevented by means of a moveable chain, which could be taken away when men were at their work, and by better lighting; but it was for the parties concerned to devise the necessary preventives.

Colonel STUART said, he was not prepared to admit, especially upon the very short notice which his hon. Friend had given, the accuracy of the statistics which he had quoted. He could assure the House that the managers of the docks were quite alive to their responsibility, and would be glad to take every possible precaution, for they had always exerted themselves to the utmost to prevent those calamitous accidents which were almost unavoidable in the case of docks. Believing that the hon. Member's Notice referred only to the Bute Docks, he had not made any inquiry as to the other docks, but he found that in 1867 the deaths by accident in the Bute Docks were only twenty-one, of which five took place by day, and three or four were "females" and supposed to be suicides; and as about 60,000 sailors entered the docks in that year, that was an average of about one casualty to 5,000 sailors. In 1868 the average was greater. In consequence of some extensive works which were going on, the number of sailors that entered was only 54,000, but the casualties were as one to every 3,200 sailors. He could assure the House that the proprietors of the Cardiff Docks would be most happy if the Board of Trade would assist them in carrying out measures for the greater preservation of life in future.

Mr. BRIGHT: The Question that has been put to me by the hon. Member for Sunderland (Mr. Candlish) I take to belong rather to the Home Office, and my right hon. Friend the Home Secretary will probably answer it by-and-by. The hon. Gentleman who has brought forward the question of railway accidents appears to me to have based his Question and his proposition on a very insecure foundation, because he asks me whether my attention has been called to the increased number of railway accidents during the last few months, arising from the enormous traffic now carried on by the principal lines. Now, so far as the figures which are before the Board of Trade prove, there has been no increase in railway accidents; and, in fact, if we consider the constant increase in the amount of mileage, and the number of trains run, and of passengers carried, it is quite clear that the accidents have steadily diminished. Now, these are the figures which will perhaps interest the hon. Gentleman—The number of accidents—I do not speak now of injuries to person or loss of life—was, in 1864, 78; in 1865, 92; in 1866, 69; in 1867, 95; and in 1868, 87. These are accidents that were more or less considerable, and the number, though it varies to some extent, does not show anything like the increase to which the hon. Gentleman has called the attention of the House. Well, the passengers killed in 1864 were 14; in 1865, 22; in 1866, 15; and in 1867, 19. Then we come to the extraordinary accident at Abergele of which, I believe the hon. Gentleman himself was a witness, in which thirty-one persons lost their lives, and yet the whole number of passengers killed in 1868 was forty, so that, deducting that accident, the whole number of lives lost during the year besides was only nine, An accident of the kind that occurred at Abergele, grievous and horrible as it is, should not be taken into consideration in looking at the figures and the averages. The number of persons injured stands thus—in 1864, 697; in 1865, 1,034; in 1866, 540; in 1867, 689; and in 1868, 519. Therefore, the number of persons injured in railway trains in 1868 was lower than in any of the previous four years, and that notwithstanding the increase of carriage and trains, and the enormous increase constantly occurring in the mileage and number of persons travelling. That loss of life, I ought to state, does not include the servants of the companies, nor does it include trespassers, it includes merely passengers who have been killed by circumstances over which they had no control, and, as it may be said, either by accident or the fault of the companies. The House will see, if I next give them some figures as to the increase of passengers, how much better this account shows than it does as I have read it. In 1857 the number of passengers carried (exclusive of season tickets) was in round numbers 139,000,000; in 1864 it was 229,000,000; in 1865, 251,000,000; in 1866, 274,000,000; and in 1867, 287,000,000. The Return for the last year has not yet been furnished. But, notwithstanding that enormous increase in the number of persons carried, the number who lost their lives is almost stationary; while the number injured has really fallen off. Therefore, looking at the whole case, there is nothing to create alarm in regard to this question. The hon. Gentleman asks whether the Government will do anything more to regulate this traffic, and give greater security to passengers? I think I have shown that there is no diminution of security so far as the figures go; and the hon. Member must know that there has been almost any amount of legislation heretofore with the view of in some way or other giving the Board of Trade power to interfere with the railway companies. My own impression—and it is also the impression of the most skilled and most experienced gentlemen in the Department with which I am connected —is that it would be a very perilous thing, and one not good for the public, to add continually to this interference with railways on the part of the Board of Trade, because you take from them some of the responsibility which ought to attach to them; and you ask me, or those who are assisting me in that Department, to regulate that which no man in it can know one-hundreth part as much about as the actual managers and directors of these railways. But then there comes this other question—What are the inducements which the companies now have to afford security to their passengers and prevent accidents? I will give the House two or three figures that are to me most astonishing, although I had before an opinion that the inducements for the good management of their lines were very great on the part of the companies. By the force of law passengers who are injured on railways, and the friends of those who are killed, can claim compensation from the companies on whose lines the accidents by which they suffered have happened. Now, in the year 1865, the compensation paid for these personal injuries alone amounted to more than £333,000, while the amount paid for damage done to goods in the same year was £115,000. In 1866, the sum paid as compensation for personal injuries was £306,000, and for damage to goods £178,000. In 1867, the compensation for personal injuries was £347,000, and the amount paid for damages to goods £166,000. Thus the total amount of compensation paid in each year was—in 1865, £449,000; in 1866, £484,000; and in 1867, £513,000. The Returns for 1868 are not yet furnished, and therefore I am unable to give them to the House. Let the House bear in mind that there is this enormous expense to the companies of more than £500,000 annually, which is equal to a capital sum of from £10,000,000 to £15,000,000. In addition to that there are law expenses to a very large amount. I ask, then, is it possible for Parliament to pass any law which shall add to the force of this great argument acting on railway directors and managers with the view to induce them to give the greatest possible security to the passengers and goods travelling on their lines? The London and North Western Company paid in 1867 not less than £86,000 for personal injuries alone. And, without wishing to give any additional authority to my opinion on account of the office which I hold—for I am now only expressing the opinion I have entertained for years past—I venture to say that the law itself as it stands, without limit of compensation, is a law of very questionable character; and I think, further, that neither the Press, nor juries, nor the public are disposed to give the credit which is due to the managers of the great lines of railway in this kingdom. My own belief is that, owing so much as we do to them, and considering their vast expenditure of capital, with the service they render to the public, we might, on many occasions, take a fairer view of the conduct and the success of railway management than we are accustomed to do in this country. The hon. Member asked, further, whether the Government would not grant a Select Committee—

"To inquire as to the best method of regulating such traffic, either by the establishment of a separate line for the conveyance of goods, or by a compulsory system of telegraphic signals?"

I think the hon. Member can hardly suppose that it would be possible for a Committee to recommend, or for Parliament to insist on, the formation of separate lines for the conveyance of goods. As the lines become more and more crowded, in some circumstances it is possible that recourse may be had to other lines. The London and North Western Company have, for some miles, another line out of London; and that example may, perhaps, be followed elsewhere. But when you consider the difficulty which many of these companies are now under in regard to capital, I think it would be throwing away the time and labour of a Committee to ask it to investigate a question like that. With respect to a compulsory system of telegraphic signals, these signals are, I think, universal on the lines; they are, as far as I understand, very complete; and if the Board of Trade or any Act of Parliament were to interfere with a matter so delicate and minute in the management and arrangements of railways as that, I think that in all probability it would do ten times more harm than good. I hope, then, that the statement I have made may not only be deemed a sufficient answer to the Question of the hon. Gentleman, but may do something to allay the fears which have been created among those who have not examined the facts, and which no doubt give a shock to the nerves of many persons who travel by railway. For myself, I agree very much with those connected with railways when they say that there is no place in which a man can put himself where he can remain so long and go so far without taking any harm as in a first-class railway carriage.

Mr. BRUCE: In answer to the appeal of the hon. Member for Sunderland (Mr. Candlish), I think I need hardly assure him that the Home Office has no power of direct interference in cases such as that which he has brought under the notice of the House. I have no doubt that the facts he has mentioned will cause the attention of the local authorities of Cardiff and of the proprietors of the Bute Docks to be directed to the many accidents which happen there, whether they are or are not as

numerous as he has stated. But under the circumstances it will be my duty to communicate with the local authorities, and to call their attention to the facts to which the hon. Gentleman has referred; and I hope the result will be that steps will be taken for affording security to human life in these docks.

IRELAND—APPOINTMENT OF SIR E. R. WETHERALL.—QUESTION.

OBSERVATIONS.

Colonel GREVILLE-NUGENT rose to ask the Chief Secretary for Ireland the Question of which he had given notice respecting the appointment of the late Government, on the eve of their resignation, of Colonel Sir E. R. Wetherall as Under Secretary to the Lord Lieutenant. The hon. and gallant Member said, he did not find fault with the late Government for accepting the resignation of Sir Thomas Larcom, but with the mode in which they had appointed his successor. He took exception to that appointment, first, because it had been made permanent, and next, because it was held by a military man—a system being thereby introduced into Ireland quite the opposite of that which prevailed in England and Scotland. Probably his right hon Friend had made inquiries into the subject since notice of his Question had been given, and would be able to inform them how, when, and for what reason that appointment was made permanent. For a period of eighteen years, or from 1835 to 1853, he found that under the successive Administrations which held Office in this country the appointment of Under Secretary to the Lord Lieutenant of Ireland was, like that of the Lord Lieutenant, a political office, which changed its occupant with the change of Government itself, and it was not until after that date that it became permanent. In 1835, when Lord Melbourne was Prime Minister, Lord Normanby was Lord Lieutenant, and Mr. Drummond was Under Secretary, and on his death in 1840 he was succeeded by Mr. Norman M'Donald. In 1841 Sir Robert Peel appointed Lord De Grey Lord Lieutenant, and Mr. Edward Lucas Under Secretary, and before Sir Robert Peel left Office Mr. Pennefather held the Under Secretaryship for a year. In 1846, when

Lord John Russell was Prime Minister, Lord Bessborough was appointed Lord Lieutenant, and Sir Thomas Redington the Under Secretary. In 1852 Lord Derby appointed the Earl of Eglinton Lord Lieutenant, and Mr. Wynne Under Secretary; and the Earl of Aberdeen, in June, 1853, appointed the Earl of St. Germans Lord Lieutenant, and Colonel Larcom Under Secretary. It was considered in 1835 that it would be advantageous for the country if the office were made a political one, and that the person filling it should be in unison with the Government of the day. The objection to the appointment being made permanent was one of long standing among many of the Gentlemen who represented Irish constituencies; indeed, he might say that almost all the Irish Members entertained a very strong opinion on the subject. The present Government did not wish to treat Ireland differently from the rest of the United Kingdom, and he hoped that they would state why a course which was in accordance with constitutional usage, and which had proved very beneficial, had been departed from. He also objected to the office being conferred upon a soldier. Sir Edward Wetherall was, no doubt, a most meritorious man, but the training he had gone through was not of the kind required for an Under Secretary for Ireland. He had distinguished himself as a soldier in Canada, India, the Crimea, and elsewhere, and in 1868 he was taken from the Horse Guards and appointed to the Under Secretaryship. He (Colonel Greville-Nugent) did not deny that Sir Edward Wetherall deserved to be rewarded for his important professional services, but that was a matter that ought to have been left to the Horse Guards. But the right hon. Gentleman opposite (Colonel Wilson-Patten) might, perhaps, allege that in appointing a soldier to the office he did not depart from the established custom. It was no doubt true that Sir Thomas Larcom was a soldier, but he was an officer of the Engineers, which was a different service from the rest of the army, and, besides, he was employed by the Board of Works in Dublin and on the survey of Ireland for a great number of years before he was made Under Secretary. There was no parallel, therefore, between the appointment of Sir Thomas Larcom and that of Sir Edward Wetherall. The appointment of Mr. Drummond could not be referred to in justification of the late appointment, because Mr. Drummond had been engaged on the survey in Ireland, and had been long acquainted with the country and the people, and had more of their confidence than any other man that had filled the office. If the Lord Lieutenant required to consult a soldier there was the Commander of the Forces, who was perfectly competent to regulate all the military part of the business. An account of the duties of the office of Under Secretary was given in a recently published life of Mr. Drummond, from which it appeared that his functions were exceedingly diversified. For instance, he had to receive and reply to a variety of communications similar to those which were addressed to the Home Office in England. He also had to receive constabulary reports, and to carry on an extensive daily correspondence with the local and stipendiary magistrates, to bring under the notice of the Lord Lieutenant all matters of an important nature, and to communicate with the Chief Secretary and other officers of Government. In addition, he was, during the absence of the Viceroy and of the Chief Secretary, virtually the Irish Government. If it was intended to govern Ireland in future as it had been governed in the past, by all means let a soldier be Under Secretary — let the country, in fact, be kept under martial law; but if they looked to governing Ireland as a constituent part of the United Kingdom, let the great offices in its Government be placed in the hands of civilians changing with the Government of the day; and the sooner they made this office political the better. In conclusion, the hon. and gallant Gentleman asked the Chief Secretary for Ireland, If Colonel Sir E. R. Wetherall, appointed by the late Government on the eve of their resignation as Under Secretary to the Lord Lieutenant, is the same person whose name appears as Deputy Quartermaster General at the Horse Guards; if the appointment is permanent; and, whether the present Government considers it desirable that the whole Civil Administration of Ireland should be under the control of a Military man, holding his appointment independently of the Government of the day, instead of a civilian, according to the custom which obtains in the Government of England at the Home Office?

MR. CHICHESTER FORTESCUE said, my hon. and gallant Friend the Member for Longford (Colonel Greville-Nugent) has thought it his duty to bring before the House the question of the appointment of Sir Edward Wetherall to a very high and important office in the Irish Government. Now, I think the best thing I can do is to endeavour to give an accurate statement of what happened in regard to this matter—a statement which, if it be inaccurate in any respect, will, no doubt, be corrected by the right hon. Gentleman opposite, the Member for North Lancashire (Colonel Wilson-Patten). For some time the late Under Secretary for Ireland, Sir Thomas Larcom, had been most anxious to resign the arduous office which he had filled for so many years with so much benefit to the public service. He had, on several occasions, offered his resignation to the Earl of Mayo, and had more than once been persuaded, he believed, by his Lordship, to continue to assist him during his tenure of the Irish Office, especially under the grave circumstances connected with the Fenian disturbances with which Lord Mayo had to deal. Lord Mayo afterwards went to India, when the right hon. Gentleman the Member for North Lancashire succeeded him as Chief Secretary. Sir Thomas Larcom then renewed his application for what I may term a release from his laborious duties at the the Irish Office, but the right hon. Gentleman the Member for North Lancashire very naturally protested against being deserted at such a time in an office which was new to him by a gentleman of such immense experience. Sir Thomas Larcom accordingly consented to continue in office for some weeks longer. Upon receiving positive information of Sir Thomas Larcom's determination to resign his office, the late Government proceeded to take measures to find a successor; and the result was the choice of Sir Edward Wetherall, a distinguished soldier, then filling an important office in the Horse Guards, where, I must say, the late Government might, in my opinion, have far more wisely left him, with great advantage to the military service of this country. Well, the result of the inquiries of the Government was to place Sir Edward Wetherall in the Irish Office. The letter appointing him is dated the 18th of November, 1868, and he was gazetted on the 1st of the following month. I sincerely believe that that choice was made by the late Government with the best possible intentions. They did, I believe, endeavour to find the best person whose services they could procure to fill the important office which was vacant, and I am far from imputing to them any such impropriety as that of creating a vacancy merely for the purpose of obtaining the patronage connected with the appointment. More than that, I am bound to tell my hon. and gallant Friend and the House that the late Government were perfectly entitled to look upon this office as a permanent one, inasmuch as it had been placed on that footing for some years. I hold in my hand a Paper which has been already moved for, and which will show my hon. and gallant Friend and the House how the change in it was made. The fact is that this office, which until the year 1834 or 1835 was a permanent office, was in that year accepted by a man to whom my hon. and gallant Friend has paid so just a tribute—Mr. Drummond, and converted into a political appointment, which it continued to be until January, 1854. At that time a correspondence passed between the Treasury and Sir John Young, who was Chief Secretary for Ireland, in which Sir John Young gave reasons to show the Government that it was desirable to restore the office to its former permanent character. Sir John Young writes—

> "It is only of late years, since 1834, that the practice has grown up of considering this office political, and to be filled up by a gentleman attached to the party in power. There is nothing in the duties assigned to the office which invests it with this character; on the contrary, it is of moment that the business chiefly connected with the local administration of justice, the supervision of the constabulary, and the regular routine of the Executive Government, in its details, should, as far as possible, be dissevered from party and political influence, and be understood to be held by an officer not interested in, nor even liable to the suspicion of such influence."

The question, therefore, was considered on its merits at the time, and the Paper which I hold in my hand contains a Treasury Minute embodying the views of the Government on the subject, and placing the office on a permanent footing. On that footing it has been filled by Sir Thomas Larcom, under successive changes of Government, until the other day; and upon that footing there can be no doubt the late Government were justified in filling it up. Having said thus much, I feel bound to add that the late Government seem to me to have committed in this matter two very serious errors of judgment. One of those errors of judgment relates to the time at which the appointment was made; the other to the quarter to which they resorted for a successor to Sir Thomas Larcom as Under Secretary for Ireland. As to the time, I think it was a mistake that a Government in a position which I may call *in extremis* should have filled up an appointment of such vital importance to the Irish Government at a moment when, indeed the responsibility of the choice was theirs, but when the advantages or disadvantages resulting from that choice were to fall entirely on their successors. I think it would have been a wiser course, and one far more advantageous to the public service to have pursued, if the late Government had endeavoured to induce Sir Thomas Larcom to continue in his office a little longer, and had not exposed the new Government to the inevitable disadvantage of coming into Office with a new Under Secretary entirely unversed in the duties of his Department. So much for the matter of time; and with respect to the other point, relating to what I also ventured to call a grave error of judgment, I must say that it appears to me to have been a grave error of policy as well to have recourse to the Horse Guards and to remove from the Horse Guards to Dublin a gentleman who, however eminent he may be as a soldier—and we all know that in that capacity he is both eminent and experienced—yet had never any experience either of civil affairs in general or of the government of Ireland in particular. Such a choice I cannot look upon as having been wise either in Sir Edward Wetherall's own interests or in the interests of the country. My hon. Friend has observed that Sir Thomas Larcom was a soldier in name, and I have no doubt that if he had remained in the military profession he would have been both a gallant and successful soldier. But not to say that he belonged to that branch of the military service which is most civilian in its character, it is idle to contend that he was a military man for any practical purpose when he was appointed Under Secretary for Ireland. The truth is that he was for many years of his useful and active life engaged in the civil service of the Irish Government, and that for the last six years previous to his appointment he was employed under the Irish Board of Works. These reasons are, in fact, specially embodied in the Treasury Minute as reasons for his appointment at the time. The fact then remains that the choice of the late Government fell on a distinguished soldier who had not any of those advantages or any of that civil experience which were possessed by his predecessor. I am constrained to say, in answer to the last part of the Question of my hon. and gallant Friend, that the present Government do not, as a matter of principle or of general rule, consider it desirable that this important civil appointment in Ireland should be held by a military man; but that, upon the contrary, they look upon it as necessary for the public service in Ireland that, both in respect of its practical effect on that service and the impression which may be produced on the public mind in that country, the rule should be that this high civil office should be filled by a civilian, according to the custom which obtains in the Government of England at the Home Office. Having said thus much with respect to the general view which the present Government take in regard to this office, I have simply to add a few words as to the view which they take with respect to this particular appointment. In the first place, the present Government are not responsible for the choice which was made by the late Government, who were, strictly speaking, entitled to fill up a vacancy which they had not created. In the next place, I have to state that, in the opinion of the present Government, the very greatest consideration is due to the gallant officer whose case is now before the House. The Government feel sure that Sir Edward Wetherall is wholly blameless in the matter. They feel that he has done nothing whatever which could be regarded as unworthy of his high character and position, and nothing which could disentitle him to receive that equitable and favourable consideration which is due to a distinguished man who, I cannot but think has been placed in a false position. But, carefully subject to these considerations, I have to say that Her Majesty's Government are of opinion that the tenure of this high civil office in Ireland by a military officer ought not to be treated by them as a fixed and permanent arrangement, and they hold themselves entirely free to take such opportunities as may present themselves of offering Sir Edward Wetherall such important military or other employment as may be suitable to his rank and claims, and call upon him to accept that employment. That being the view taken by the Government of their duty in this matter, I have only to add that there is nothing which I have said with regard to any part of this transaction which ought to be or can be regarded as in the slightest degree impairing or affecting the character or reputation of Sir Edward Wetherall.

Colonel WILSON-PATTEN : Sir, my right hon. Friend has made so fair a defence of the conduct of the late Government on this matter that he has left me very little to say on the subject. It is, I hope, unnecessary for me to corroborate his statement, but I may be allowed to observe that I do not believe an appointment was ever made by any Government so little open to unworthy imputations as that of Sir Edward Wetherall. It was, I must confess, a deep source of grief to find that that appointment was treated by the Irish press and public, totally ignorant as they were of the circumstances under which it was made, in a manner which was calculated to give great pain to one of the most upright and honourable men in Her Majesty's service. The same observation applies to the remarks which have emanated from the same quarters in reference to Sir Thomas Larcom. The conduct of that gentleman has been misrepresented in every sort of way. Belonging to the political party to which my right hon. Friend belongs, he was accused of betraying the interests of that party by not retaining his appointment until they acceded to power, and had an opportunity afforded them of naming his successor. That part of the case my right hon. Friend has entirely cleared up. He knows very well that Sir Thomas Larcom tendered his resignation to us over and over again, and that he was requested to remain in the post which he occupied. It was indeed with the greatest surprise that I learned, almost the first day I arrived in Ireland, from Sir Thomas Larcom that it was his intention to resign. I appeal to my right hon. Friend, who knows the duties of Chief Secretary for Ireland, to judge what would be the position in which I should be placed if he had at once carried out that intention. I did my utmost to endeavour to induce him to retain his office until I became better acquainted with the duties on the discharge of which I had only just entered. He kindly acceded to that request, and the only return he met with from the press in Ireland was being accused of being actuated by unworthy motives, although nothing could be more honourable or straightforward than his conduct. I must say as much with respect to Sir Edward Wetherall, and I will only add to the statement of my right hon. Friend a few particulars in defence of the Government of which I was a member. As soon as I knew that Sir Thomas Larcom intended to resign I consulted the Lord Lieutenant as to the appointment of his successor. We were unanimous in agreeing that the appointment should be made without the slightest reference to political considerations, and I can also assure my right hon. Friend that we felt it our duty to appoint a man who would be agreeable to our successors in Office. These were the motives which actuated the Lord Lieutenant the Earl of Mayo and myself with respect to Sir Edward Wetherall, and I think in the last respect I have mentioned we have succeeded to the utmost of our ambition, for I believe my right hon. Friend will say that in the short experience he has had of Sir Edward Wetherall, that officer devotes himself to the discharge of his business, free from all political bias. That, at least, was the character given of him when we were considering who to appoint, and I believe Sir Edward Wetherall has acted strictly up to that character since he has filled the office. I can only say that neither the Lord Lieutenant nor myself had the slightest previous acquaintance with Sir Edward Wetherall. I did not know him even by sight until the moment when, by the Lord Lieutenant's direction, I offered him the office. In our choice we were entirely guided by the high character we had of Sir Edward Wetherall from several quarters. We inquired in many, civil and military, and heard in all so good a report of Sir Edward Wetherall that at length we fixed upon him. The fact of his being a military man came under our consideration, and no doubt we did feel that it was a question upon which some difference of opinion might exist. But that consideration was quite overborne by the other recommendations we had of Sir Edward Wetherall. My right hon. Friend is in error in supposing that Sir Edward Wetherall's duties have been always entirely of a military character, for he has been in Ireland and has been consulted by the Executive upon matters connected with the Government. But now as to the policy of appointing a military man at all; I confess I was surprised to hear it stated that it was in accordance with the practice in this country a civilian should always be chosen for a civil office. Why, who was the last political Under Secretary of State for the Home Department? A distinguished military officer (Sir James Fergusson); and if my right hon. Friend will look through all the civil appointments of other Governments he will find that, beginning with the Duke of Wellington, no difference has been made in filling those appointments whether by military men or civilians. I was surprised, then, to hear my right hon. Friend agree with so false a statement as that contained in the Question on the Paper.

COLONEL GREVILLE-NUGENT complained of this reference to the Question as containing a false statement.

COLONEL WILSON-PATTEN: I intended no offence, but the Question insinuates that it is contrary to the rule of the English Civil Service that an Under Secretary should be a military man, and I controvert that statement. My right hon. Friend says that Sir Thomas Larcom was only an Engineer officer, and was not really a military man. Then, I want to know how it was that my right hon. Friend and the Government with which he was connected so often consulted Sir Thomas Larcom upon military matters? The fact that time after time various Governments in Ireland have so consulted him is unanswerable as showing that the late Under Secretary was really regarded as a military officer; and yet when another military officer is made Under Secretary in his place, objection is taken to the appointment upon political grounds in Ireland, and the gallant officer opposite (Colonel Greville-Nugent) says that Ireland is to be under martial law. We do not consider ourselves under martial law in England when a military man is chosen to fill such a post, and the gallant officer must have got this idea from some extraordinary quarter. I contend that the post is one which may be filled equally well by either a civilian or a military man; and if, in either case, the person occupying that post chooses to act unconstitutionally the gallant officer knows that he would not be allowed to retain it many hours longer. I was surprised, then, at the insinuation made against Sir Edward Wetherall that he would take an unworthy advantage of his position.

COLONEL GREVILLE-NUGENT: I never made any charge against Sir Edward Wetherall; I simply objected to the appointment of a soldier to this office.

COLONEL WILSON-PATTEN: Then, what did the gallant officer mean by saying that Ireland would be under martial law because Sir Edward Wetherall was Under Secretary?

COLONEL GREVILLE-NUGENT: I never said any such thing.

COLONEL WILSON-PATTEN: Then, how did the gallant officer intend to argue that Ireland was to be brought under martial law?

COLONEL GREVILLE-NUGENT: I objected to the system of military appointments to such offices.

COLONEL WILSON-PATTEN: The Government will, of course, deal with this question as they think fit, on their own responsibility. All I can say is that Sir Thomas Larcom was a military man, and he remained in this office under seven different Governments, three Conservative and four Liberal; and now for the first time it has been objected that a military man ought not to succeed him, because, forsooth, of the distinction between the engineering branch of the service and that to which Sir Edward Wetherall belongs. I think it was quite unworthy of the Government to take up a position of that kind because there seemed to be an opportunity of getting rid of an official appointed by the late Ministry. I will not believe that the Government will take the course until I see them take it. The appointment was made in a most honourable and straightforward manner. And now let me say a word or two as to the period at which it was made. My right hon. Friend says that it ought not to have been made so closely upon our leaving Office. Why did not the Government act upon the same principle when they themselves went out of Office? Have we not heard of a Lord Lieutenant and several other persons appointed only a few days before they left Office? The fact is that Sir Edward Wetherall's appointment was decided upon before the late Government agreed to go out of Office. It astonishes me to be told that under such circumstances a Government must leave such an appointment to be filled up by their opponents on taking Office. Certainly I have not had much experience in Office, but I have been many years a Member of this House, and to me these are quite new ideas.

MR. CHICHESTER FORTESCUE: I said it would have been more advantageous to the public service had the appointment been delayed.

COLONEL WILSON-PATTEN: My right hon. Friend said it was injudicious. If the appointment ought to have been delayed, will my right hon. Friend, when the present Government go out of Office, fix a time after which they will fill up no offices, but will leave all appointments to their successors? If my right hon. Friend is ready to give such an undertaking, I can understand and respect his present scruples. As it is, I cannot understand them at all. It is, I believe, an invariable practice that all the vacancies which occur within a reasonable time before the resignation of a Government are filled up by that Government; and I think that if my right hon. Friend will only move for a Return of the number of appointments so filled up within the three weeks before the last six or seven Governments have left Office, he will find that he cannot support the imputation he has cast upon the late Government. Sir, the object I had in rising was to do justice to two most distinguished men. As for myself, I have had a brief experience in Ireland, and it is possible that I may have made mistakes there; but I shall always be of opinion that I have taken part in recommending one of the most distinguished men ever appointed to Office in this country, and I venture to add that when my right hon. Friend knows Sir Edward Wetherall better, he will agree with me that seldom, within his experience, has so good an appointment been made.

Colonel Wilson-Patten

MR. GLADSTONE: I might, Sir, have been very well contented, after the temperate, careful, and able statement of the Chief Secretary for Ireland to leave the matter where he left it. But some expressions fell from my right hon. and gallant Friend opposite (Colonel Wilson-Patten), which require some notice by me. My right hon. and gallant Friend opposite has heard the admission of my right hon. Friend near me (the Chief Secretary)—an admission freely made on this side of the House—that in this case there was no imputation of motives whatever. In fact, the character of my right hon. and gallant Friend was on that subject quite a sufficient guarantee. But, having regard to his high character and position in this House, it was frankly admitted by my right hon. Friend that no imputation of that kind could for a moment stand. Yet my right hon. and gallant Friend gave us distinctly to understand—I think I am giving the precise effect of his words—that if Her Majesty's Government thought fit to act upon the principles laid down by the Chief Secretary—namely, that it was not desirable that a soldier, never having had experience of civil business, should be the permanent Under Secretary in Ireland; and if they should make some arrangement which would give to Sir Edward Wetherall an appointment elsewhere, the only motive which could be ascribed to us was, that we took this course because an opportunity was offered of getting a gentleman out of Office who had been put there by the late Government.

COLONEL WILSON-PATTEN: I do not think I said that.

MR. GLADSTONE: I am glad to think I may have misunderstood my right hon. and gallant Friend.

COLONEL WILSON-PATTEN: If I said so, I withdraw the expression,

MR. GLADSTONE: I was sure that my right hon. and gallant Friend must have made that imputation inadvertently. Well, Sir, I must entirely adhere to and support the propositions of my right hon. Friend near me. I am distinctly of opinion that it is a wise and judicious measure by which the Under Secretaryship in Ireland has been made a permanent office. The delicacy of the work of the Executive Government in Ireland is extreme, and it is exceedingly necessary that there should be some person of great experience, authority, and capacity who should be able to carry on the traditions of civil government from one political Administration to another. I was at the Treasury when the office was made permanent, and I do not in the least regret having been a party to that arrangement. So far I am at one with my right hon. Friend opposite, and so far I differ from my hon. and gallant Friend near me (Colonel Greville-Nugent), for he holds that the office ought to be a fluctuating one, and to change with the Government. I feel obliged, however, to demur to the pleas offered in justifiction by my right hon. Friend opposite in the present instance. In the first place, he thinks that the objection taken by the Chief Secretary for Ireland is, that no Government likely to go out of Office ought to make any appointment whatever. My right hon. Friend did not lay down any proposition so absurd. It may be that it is very proper to make some appointments on the eve of quitting Office. It may be that is an error to make other appointments. The only question is—was this an appointment which it was wise for a Government to make on the very eve of quitting Office? It is not any general rule, but it is the speciality of these appointments on which the objection is founded. My right hon. Friend opposite refers to and claims the practice of England, and says that a distinguished military officer was lately Under Secretary of State for the Home Department; but there is the greatest possible distinction between a political and a permanent Under Secretary. Not only is there that difference, not only has a permanent Under Secretary in every office duties to perform that scarcely attach at all to a political Under Secretary, but my right hon. Friend, when he speaks of Sir James Fergusson as a distinguished military officer must remember that for fifteen or sixteen years he was an active, able, and intelligent Member of this House, constantly giving attention to the general course of its affairs, so that he qualified his military habits by a very large civil experience. It is not to one circumstance alone, but it is to the combined effect of several circumstances we must look in judging such a matter as this. Sir Thomas Larcom began by being an officer of Royal Engineers; he was reared in that corps, from which I venture to say, limited as it is, more persons have been selected for civil appointments than have been taken for them from all the rest of the army; but at an early period of his life he left the military profession and educated himself for civil duties. The combined effect of these two circumstances is to create a difference as wide almost as it is possible to conceive between these two gentlemen. There is no reproach to Sir Edward Wetherall; but I venture to say that an ardent and gallant soldier cannot devote the best part of his life to military duties without losing some of his civil capacities; for the habits of military men tend to give them a mode of viewing affairs which is a soldier's and not a civilian's. But in my opinion you commit a slighter error in appointing a soldier to be permanent Under Secretary of State for the Home Department in England than in appointing him to be permanent Under Secretary in Ireland, for it must be remembered that the general spirit of government in England is civil, while in Ireland, unhappily, it is already too military. It has been found necessary to give to the constabulary a military character in a much greater degree than is desirable in a civilized country enjoying political freedom. It is on that account it is desirable a strong civil influence should be brought to bear upon the spirit of Irish administration by the appointment to the office of permanent Under Secretary of a person who has had some experience of civil duties. I think my right hon. Friend opposite overlooked this consideration—that in case the late Government had not gone out of Office it would not have been any great inconvenience to them to have postponed the appointment for three or four weeks; but in making it as they did, they made themselves the judges of who was a fit person to advise and support the new Lord Lieutenant and the new Chief Secretary; they decided who was to be the prop, stay, and adviser of these officers, and that at a time when it was well known that Irish policy was the cardinal point of public affairs, and when, consequently, it was of the utmost importance they should work with those with whom they enjoyed unbroken sympathy. That being the case, I do not think my right hon. Friend on this side has overstated the matter—while rendering the freest acknowledgments to the late Government in the most important respects—in venturing to say he considers they have not exercised a sound discretion. For my part, I must entirely concur with my right hon. Friend in all the tribute he has rendered to the great merits and the high character of Sir Edward Wetherall. The anxiety of the Government will be to do him no wrong; at the same time, it will be to reconcile that purpose of doing no wrong or injustice with the fulfilment of their duties to the people of Ireland and to the great public interests which are at stake.

ELECTION PETITION JUDGMENTS.

OBSERVATIONS.

MR. VERNON HARCOURT rose to call attention—

"To the situation in which the House of Commons is placed by the absence of any authentic record of the judgments delivered by the Judges appointed to try Election Petitions; which judgments interpret and declare, without appeal, the Law of Parliament, upon which depend the rights of the constituencies, the title of their representatives, and the constitution of the House of Commons."

He said, that since he gave this Notice he had received a great number of letters from different parts of the country which indicated that an extraordinary degree of interest was taken in this question. He did not intend to raise the grave and difficult question of the policy of the change recently made in the tribunal for deciding election petitions. Whether it would ultimately turn out that the Lord Chief Justice was right when he earnestly protested against the scheme adopted last Session, or whether the House of Commons was right when, by a self-denying ordinance—which he might almost describe in the words of the great Italian poet, when he spoke of "the men who through timidity made the great refusal"—it came to the conclusion that it was unfit to be the judge of its own privilege, was a question he would not ask the House to discuss or decide; that must be determined by the experience of the future. Neither did he intend to raise a question as to the propriety of any particular decision. If anyone was disposed to criticise those decisions he was not that person. Assuming the propriety of the change of the tribunal and the absolute justice of its decisions, the point to which he wished to call attention was the situation in which the House was placed by the change which had been enacted. Formerly, a Committee of the House fulfilled the office of jury; it gave a decision upon a particular case; it was no doubt to a certain degree governed by the precedents of the past; but it was also at liberty to decide *de novo* upon the law as it stood. As soon however as we placed the decision of election petitions in the hands of the Judges we arrived at a new state of things; we got into a region very well known to lawyers, and partially known to laymen—the region known by the name of Judge-made law; when the Judges proceeded to interpret the law, they in fact made the law which they declared. The privileges of Parliament and of the constituencies were now in the hands of the Judges, and yet the House of Commons was absolutely ignorant of their declaration of the law. The other day the Secretary of State for the Home Department, when asked the question, did not even know whether notes had been taken of the judgments, which, being declarations of the law, were the making a law; and the right hon. Gentleman seemed to think it was immaterial whether we had them or not. With that view he could not concur, for, as the Judges had the power of deciding on the composition of the House, and of determining, as had been done in one case, that an individual should not be entitled to sit in it for seven years, it seemed to him it was of the first importance that the House should know the grounds on which their decisions were based. The furnishing the House with the Report without the judgments was like supplying them with the mere decree of a Judge of the Court of Chancery. The public would never be content with the mere decrees given in courts of law; the decisions were taken down by skilled professional reporters, and their reports were authoritative; they were regarded in the light of law, and for the future they governed the law. Now, they knew that Her Majesty's Judges, before whom these petitions were tried, had exercised a very wise discretion, and, in the knowledge that the public would expect the reasons for their decisions to be given, they had entered into these reasons at length. In spite of that, however, they were told that the decisions were not to be laid upon the table. This, too, was the more surprising, inasmuch as the evidence taken at the trial of these petitions was forthcoming. In the Bradford case, which was one of great interest, they had a great mass of evidence, but where was the law? He could not understand why the decisions should not be laid on the table, especially as in one case—that of Bewdley—both the evidence and the judgment had been placed before them. He understood that notes of these decisions had been taken, and consequently they could without difficulty be supplied. Now, as a matter of fact, the statutes passed in the House of Commons were sent to Westminster Hall to be made intelligible. When the Statute of Frauds was said by Lord Nottingham to be worth a subsidy, some one remarked that it would cost a subsidy, and the law with which they were now dealing might be subject to a similar remark. The Court of Common Pleas, in a case with regard to securities which came under the provisions of this Act, could not make out what the intention of the Legislature was and after several days' discussion gave the decision one way, because if it was not given that way it must have been given the other. The Court of Common Pleas in Ireland followed the decision of the English court, but acknowledged a preference for the other view of the case. The result of such a state of things, so far as he could observe public opinion, was to excite a great deal of alarm and dismay. Those in the country who desired to see purity of election believed that never at any time were we in so much danger of suffering from electoral corruption. Indeed, they regarded the attempts made by the Legislature in this direction as somewhat resembling the forts at Spithead, about which we had spent so much money and were going to spend so much more, of which it had been said that, having been put up for purposes of defence, they would now serve to guide the enemy safe through the shoals. In fact, it was believed that if a General Election were to be held to-morrow, it would be the most corrupt ever known in this country. He would call the attention of the House more particularly to the law relating to treating at elections, which was on a most unsatisfactory footing. Mr. Rogers, in his able book, published last year, described the law respecting treating in the following terms:—

> "Although the 17 & 18 *Vict.* c. 102, has in some respects assimilated bribery and treating, there is a wide difference between the nature of the two offences, both as regards the candidate and the voter. The bribed man votes for the candidate whom in his heart, perhaps, he hates or despises; the other follows the impulse of excited zeal and votes for him who has recommended himself by supposed liberality and hospitality. Bribery is directed to obtain the adverse and to fix the doubtful voters; treating is resorted to to confirm the good intentions and keep up the party zeal of those believed to be already in the interest of the candidate. The distinction between the two offences is, it will be seen, clearly recognized in the above-mentioned Act, by which bribery is made an indictable offence, while treating is not made criminal, and the penalty imposed upon the latter is only half of that attached to bribery."

That he regarded as a very fair description of the present state of the law; and as long as it continued to remain in such a state the public out-of-doors would never believe that the House of Commons were sincere in their desire to put an end to treating. He was almost afraid of referring to an earlier period of English history, as persons who did so were supposed to be in their political dotage. But, in the first Treating Act, in the reign of William III., the matter was very differently dealt with. Upon that subject Mr. Rogers said—

> "Treating under this statute, therefore, became an offence without reference to its extent, the intention of the giver, or its effect on the election. The objects of the Legislature, it is imagined, were to put an end altogether to treating within certain periods, to estop the candidates from pleading either moderate or necessary refreshment, and to take away from the House all discretion upon the subject which it was found had been exercised in an arbitrary and unsatisfactory manner."

In the later statutes, however, a different principle was introduced for the first time, and the word "corruptly" was introduced; and thus was swept away the effectual prevention which was supplied by the Act of William. The introduction of that word, which governed the whole of the law in relation to this matter, was, in his belief, the cause of all the mischief which had excited so much well-founded alarm throughout the country. Mr. Rogers said—

> "The word 'corruptly,' it will be seen, governs every clause in this section. What is the precise force to be given to this word is by no means clear."

He had seen with some interest that there existed a borough in Ireland where it was admitted that the sitting Member had spent upwards of £5,000, and had obtained only 127 votes, and the question was reserved for the Court of Common Pleas to determine whether that expenditure had any relation to corruption. Such a state of things reminded him of a passage in *Tristram Shandy*, where, after a long and learned discussion upon the difference between affinity and consanguinity, Uncle Toby very profoundly remarks—"What you say may be very true, still somehow or other, I cannot help thinking that a man must be some relation to his mother." He, in the same way, could not help thinking that the connection between the expenditure and its object, somehow or other was in this case clearly perceptible. They were told that the main point in determining these matters was the question of intention. He had always understood that the doctrine of the law in respect of intention was that a man was supposed to intend the natural consequence of his own acts. When a man came to a place he had nothing to do with and spent £5,000 about persons whom he never saw before, was it necessary that they should be able to dive into his heart before they could decide whether the expenditure of the money was intended to influence the votes of the electors? The whole of the evil had undoubtedly arisen from introducing the word "corruptly" into the Act, for the introduction of that word had proved nothing short of a mask under which corruption could be practised almost with impunity. There was another subject on which he was sure there existed a deep and painful feeling throughout the country, and that was the entire failure of the provision to prevent the collusive withdrawal of petitions. He had seen in the Lobby a deputation of working-men from a place the name of which he would not mention. They were almost in despair at the position in which they were placed. He had received a letter from one of them, in which it was stated that, with the suddenness of a gunshot, a petition had been withdrawn which they had every reason to believe would have succeeded; that 600 or 700 of them had memoralized the Judge not to allow it to be withdrawn, but he decided that he had no power to prevent its withdrawal; and that if the House did not, in compliance with a petition they intended to send in, direct a trial of the petition there would be a great miscarriage of justice. One of the great scandals of the old system was that on the morning of the race the favourite was scratched. The more money there was on a horse, the greater the certainty of its being scratched on the morning of the race. The more certain a petition was of succeeding if it was proceeded with, the greater the certainty of its being withdrawn. From what he had heard he believed the new Act had not much improved matters in that respect, and he believed that nothing would be accomplished till we had a public prosecutor. As he had said before, the failure was not the fault of the Judges, but the fault of the law they had to administer. It was not necessary he should say that the Judges had administered the law in an impartial and upright manner, and with that learning and intelligence which belonged to them. He thought that the law ought to be amended without delay; and for that reason he had ventured to bring the question before the House, and to ask that, as a preliminary, the authoritative declarations of the Judges as to the present state of the law should be laid before Parliament. He was not an admirer of amateur legislation, and he did not propose to take any further step in the matter; but he asked Her Majesty's Government to take it in hand and deal with it at once. He hoped there was an end of that unconstitutional interregnum when the Government did not govern, and the Opposition did not oppose. We had now a Government with a great majority, and which ought to be able to govern; and we had an Opposition, which, though not so strong as it had been at other times, was under able leadership, and was able and probably willing to oppose. He hoped his right hon. Friend the Secretary of State for the Home Department would not tell him that the question was going to be sent to a Committee. It embraced only two or three short points; and he ventured to say that the Attorney General and the Solicitor General could in half an hour prepare a Bill that would settle the whole thing. No Commission was required in this case. He was sure that it was a subject on which both sides of the House were of one mind; and under these circumstances he hoped to hear a satisfactory statement from his right hon. Friend.

THE ATTORNEY GENERAL said, he thought the House was indebted to his hon. and learned Friend (Mr. Vernon Harcourt) for having called attention to a matter of such great interest. He thought the request of his hon. and learned Friend that the decisions of the Judges should be laid upon the table was a reasonable one; and he was happy to say that he believed the Government could comply with it. He was informed that the official shorthand writers, though only required to take notes of the evidence, had, in fact, taken notes of the judgments. Arrangements would therefore be made to obtain the judgments in an authentic form, and lay them upon the table of the House. When they were in the hands of the Government and the House it would be very proper to consider them with a view of seeing what the law was, and whether any amendment was required in it. He must say he was prepared to go a long way with his hon. and learned Friend in his anticipation that it would be found necessary to amend the law, especially as regarded treating; but he did not think they would be in a position to deal with that question till the judgments were before them in authentic form. He was not so sanguine as to concur with his hon. and learned Friend in thinking that a Bill to amend the law could be prepared in half an hour; and he thought that when his hon. and learned Friend had a little more experience in that House he would find that Bills could not be got through quite so rapidly as he seemed to suppose. He believed it would not be possible to make any amendment which could come into operation before the petitions already lodged had all been tried; but the Government would give their attention to the subject at the earliest possible moment after the decisions were laid upon the table. His hon. and learned Friend was under a misapprehension in supposing that his right hon. Friend the Secretary of State for the Home Department had intimated that he did not attach any importance to the production of the decisions. What his right hon. Friend had said was that he did not know whether the Government would be able to produce them. As to the appointment of a public prosecutor, he did not hold out any hope that the Government would be able to deal with that question this Session; but it was one which had long engaged his attention. For years he had been in favour of the appointment of a public prosecutor, and he hoped the day was not far distant when we should have a public prosecutor, as all the nations on the Continent had at present.

THE COLLECTION OF TAXES.

QUESTION.

MR. CHARLES FORSTER rose for the purpose of asking Mr. Chancellor of the Exchequer, Whether it is his intention to propose any measure respecting the Collection of Taxes similar to that which was introduced in the Session of 1864? He had received strong representations from his constituents as to the hardships inflicted upon them by the existing system. The assessors and collectors were no longer appointed by the vestries, but by the local tax office, and it was not thought right that the vestries should incur responsibility without having power in respect of collection. It was also stated that more collectors were appointed than were required by law or than were necessary, the only result being that the tax-payers had to pay an increased charge. He need not remind the House of the extreme inconvenience entailed upon tax-payers by their being obliged to attend the committees of the Local Commissioners. In one case brought under his notice a gentleman carrying on business in Walsall received a summons on a Sunday to attend the Commissioners seven miles off at ten o'clock next morning, so that he had no time to make arrangements to provide for his necessary business. He knew of another case where a person had been fined for non-attendance at a meeting of one of these committees, he being confined to his bed at the time by severe illness. Although he stated the reason for his non-attendance, he was fined £20, in consequence of some vague rumour that he had been seen at the time at another place. He (Mr. Charles Forster) had himself brought the case under the notice of the Board of Inland Revenue, who, he was bound to say, had immediately remitted the fine, but not until the person aggrieved had been put to considerable inconvenience. In every country except England the Government undertook the duty of collecting their own taxes. In 1864 the present First Lord of the Treasury brought forward a measure to enable the Board of Inland Revenue to relieve the tax-payers from the burden of collecting their own taxes. The scheme of the Bill was a most simple one, and met with general approval until the third reading, when by some unaccountable means it was rejected by a majority of 4. He trusted that the Chancellor of the Exchequer would signalize his accession to Office by introducing a Bill upon the subject calculated to relieve the tax-payers from the burden they had now to bear. It was just such a subject as a Government, having strong support in Parliament, should address itself to, and the country had a right to expect something at their hands.

The CHANCELLOR of the EXCHEQUER: I quite agree with the hon. Member for Walsall (Mr. Charles Forster), as to the great anomaly that is involved in the manner of collecting these taxes. It is perfectly true, as he has stated, that the tax-collector is made to serve compulsorily, and is appointed without his consent being obtained. The consequence is that this duty—a most important one—is often placed in very strange hands. I recollect the present First Lord of the Treasury stating to the House that within his own knowledge the office of tax-collector had been filled by a general officer, a retired merchant, a captain of a ship, the head of a grammar school, and a lady. That, I am sure, is not the way in which these taxes ought to be collected. Again, if any defalcations occur, which, unfortunately, sometimes happens, the parish is made liable for their amount, which seems to be a very great hardship. I will not go into detail upon the subject at this hour, but I will just read to the House a short paragraph from Page 29 of the Report which has just been published by the Commissioners of Inland Revenue—

> "In connection with this subject—that is, the addition which may be made to the revenue by a closer and more careful assessment and collection of existing duties—we cannot refrain from repeating an often expressed conviction, that the assessed taxes, if entirely taken out of the hands of parochial officers and intrusted to the sole management of this Department, may be made to yield a much larger quota to the income of the country than at present. And we believe that since we first began to ventilate the subject, a great change has taken place in public opinion respecting the antiquated, cumbrous, and inefficient system absurdly named 'self-taxation,' and that there will be no difficulty now in superseding it by a better arrangement."

Then there is this note—

> "The following conversation, which really occurred between a member of this Department and a parochial assessor, is worth preserving as an illustration:—'A.—I see that Mr. B. is not in assessment for either a horse or a carriage, though you know that he keeps both.' Assessor (who is the principal butcher of the village)—'Well, Sir, you must not be hard on a poor man like me. Mr. B. is my best customer, and if I were to charge him, after so many years that he has gone on without paying any tax, he would give all his custom to X. at once.'"

On these grounds, and on many others, which it would take too long to state at the present moment, I quite agree with the hon. Member for Walsall that some alteration should be made in the present system of collecting these taxes. But then he has himself stated what is the main feeling in my mind—namely, that an attempt which was made four or five years ago by much stronger hands than mine was most disastrously defeated.—[Mr. Forster: Only by 4 votes.] Yes, but 4 is as good as 40. It also seems that in this Session we are to concentrate our polemical powers chiefly upon one single subject. At the same time I do not say that, even under these circumstances, I shall not make an attempt—I do not pledge myself to do it, but I hope to do so—to attack the whole or a part of this question during the present Session, if I see the least opportunity of doing so. The hon. Member must not, however, be angry with me if this and many other subjects worthy of our attention should, from the pressure of business, have to stand over until another year.

IMPRISONMENT FOR DEBT — CASE OF JOHN KENN.

QUESTION. OBSERVATIONS.

Mr. COLLINS rose to call the attention of the House to the imprisonment in York Gaol of John Kenn, aged eighty-five, for costs in an action for slander; and to ask the Secretary of State for the Home Department, Whether, in the opinion of Her Majesty's Government, power should not be given to the Crown to remit in certain cases imprisonment for debts of this character? It appeared that this old man and his blind and almost equally aged wife lived in a cottage for which they paid 15*d.* a week at Knaresborough, where he had formerly been a cowkeeper, but for several years past he had given up that occupation. They possessed an acre of land, and managed, by the help of their single cow and of the sum of 50*s.* paid them twice a year by Mother Shepherd's Charity, to keep themselves off the poor rates. Somehow or another, either he, or, as he said, his "missus" managed to get up a quarrel with one of their neighbours who, knowing them to be penniless, commenced an action for slander against him in one of the Superior Courts in London. Not having the money to engage a solicitor or a barrister in his defence or to come up to London in person, Kenn was obliged to allow judgment to go by default, and in September or October he was arrested and taken to the Debtors' Gaol at York for costs. Were not some means adopted for his release this old man would have to rot in gaol, and even if he managed to regain his freedom he would be placed in a most unfortunate position, because his only cow had been sold to pay his rent, and he was also in danger of being tried as a fraudulent bankrupt at the next Assizes. There seemed to be no means known to the law for effecting his release without payment of the money. He brought this case before the House in order to avail himself of the opportunity it would afford him of asking the Secretary of State for the Home Department whether it was not desirable that the Home Office should have the power to interfere in cases of this kind, as in criminal cases, and remit the imprisonment.

MR. BRUCE said, it was very natural for a humane man like the hon. Member, when instances of this sort came to his knowledge, to wish for some short ready remedy for the grievance; but on the part of the Government he was not at all anxious to increase the powers of the Secretary of State for the Home Department relating to the remission of sentences. He might, however, add that he understood that the Bankruptcy Bill about to be introduced by his hon. and learned Friend the Attorney General contained a provision which would completely meet the case brought forward by the hon. Member.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY.

SUPPLY—*considered* in Committee.

(In the Committee.)

(1.) £6,989 0*s.* 6*d.*, to make good Excess on Grant for Post Office Packet Service.

MR. DILLWYN asked for some explanation of this Vote.

MR. AYRTON said, that this Vote and the one which would be next proposed were required for the purpose of closing past accounts; and pointed to a note appended to the Estimate in the hands of hon. Members as explanatory of the arrears of charges, which it was meant to wipe away. The mode in which the Estimates were now dealt with was rather different from what it had been in former years. Some years ago the Supplies for the Civil Service were granted merely for the service of the year, and any excess in those Supplies remained with the heads of Departments for future expenditure in those Departments. Now, however, the money was not voted for the service, but for the particular amount that would come in course of payment during the financial year in each Department. In consequence of the adoption of the new system a final adjustment of balances had had to be made. An Act had been passed—the Exchequer and Audit Act, which was rather a complicated measure, regulating the precise manner in which Votes were to be accounted for by all the officers of the Crown who were accountants, and balance sheets had to be prepared. For that purpose it became necessary to ascertain the exact balance in the hands of every officer engaged in watching over the expenditure of the public money at the end of the financial year in March, 1868. In order to arrive at that the accounts, for several years past, had to be carefully examined, and many of these accounts were found to result in an excess over the amount available for the public expenditure; while others, on the contrary, resulted in a balance in favour of the Exchequer. The Commissioners of Audit, however, and the gentlemen to whom the investigation of these balances had been specially referred, had arrived at the conclusion that the excess of expenditure over the amounts voted in the different Departments would be covered by the two Votes now laid upon the table. It was necessary to take these

Votes for the purpose of setting the accounts right; but he was happy to add that the number of accounts in which the balance in favour of the Exchequer exceeded the expenditure were by far the more favourable class. As far as the accounts had been yet adjusted the aggregate balance in favour of the Exchequer amounted to £844,000, being about £440,000 in excess of the total of balances on the unfavourable side.

Mr. DILLWYN said, the explanation just given by the Secretary to the Treasury was much clearer than the footnote appended to the Estimate. He thought, however, that to vote this money as if it were actually needed, when there was more than enough in hand, was rather a bungling way of settling the accounts. It would be much better to have an adjustment of the rival balances, and treat this transaction as an ordinary matter of account.

Mr. AYRTON said, an hon. Member asked why the Government paid the light dues for the City of Dublin Steam Packet Company, while they would pay them for no other packet company in the kingdom? It was impossible to deal with the balances in the manner suggested by the hon. Member for Swansea, inasmuch as the Estimates were framed with the object of showing every item expended on the national account, without reference to receipts. Every effort was being made by the Treasury to keep the expenditure as closely as possible to the Votes granted by the House. Other Questions he thought might more properly be reserved until the Estimates for the present year were brought forward.

Vote *agreed to.*

(2.) £400,894 7*s.* 4*d.*, to make good Excesses on Grants for certain Civil Services.

Mr. Alderman LUSK said, that St. James's Palace during the last four years had cost £40,000 in repairs, yet here was another item of £7,704 outstanding for Royal Palaces, which were explained to mean Windsor Castle, Kensington, and St. James's Palaces. How was this? There was an item of £18,000 in the Supplementary Estimates for printing and stationery, yet here was a further item of £8,468 of excess on the same head. There was also an excess of more than £18,000 in the Law Courts of Ireland for pensions and retiring allowances. He could not understand why there should be an item of £2,690 for Nonconforming and other ministers in Ireland unpaid. These were not men who could have got on without their salaries, and the amount must have been voted in the proper year. Then there was an item of "miscellaneous expenses from civil contingencies" of £5,053, which was explained to arise from the item for robes, collars, and badges of the various orders of knighthood, though the sum voted last Session for these things was thousands in excess of previous years. The result at which he had arrived was, that it was impossible for anybody to understand how these accounts were managed.

Mr. AYRTON said, that these were not monies that were being voted for future payment in a Supplementary Estimate, but an adjustment of accounts for past payments. The item for Royal Palaces referred to unforeseen expenditure incurred before the end of March, 1868. It related to money actually spent, and had no bearing on the Vote of last year. The Vote for Printing and Stationery was also required to adjust the expenditure under the new Parliamentary mode of keeping the accounts. As the new system was not at first properly carried out, it happened sometimes that there was not in law any money applicable to the payment of any deficiency. When these Votes were adjusted it would be impossible for the same thing to occur again. In regard to the Vote for New Robes and Orders it was placed in the Estimates of a subsequent year, though the payment ought to have been a charge upon the Estimates for the year ending March, 1868. The Committee should clearly understand that they were now engaged in an adjustment of accounts, and were not really voting any public money.

Mr. DILLWYN said, he was afraid that under these circumstances any reduction in the Votes would be a Motion to pay so many shillings in the pound.

Mr. AYRTON said, that they would now start with a clear account for all these heads of expenditure, and what had before occurred would not occur again.

MR. MUNTZ said, he was afraid that money had been spent first, and was to be voted afterwards; at least such appeared to have been the practice under the late Government.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

SUPPLY—THE ABYSSINIAN EXPEDITION.—REPORT.

Resolution [March 4] *reported.*

On Motion "That the Resolution be *agreed to,*"

MR. ALDERMAN LUSK said, he wished to take the opportunity of impressing on the Government the necessity of having more speedy and satisfactory accounts from India. Merchants, even in such small matters as having ships in India, found no difficulty in communicating with them by telegram and giving directions as to what cargoes they should bring home. He could not, therefore, comprehend the peculiar difficulty of communicating with the Government of India with respect to these great matters of account. The Chancellor of the Exchequer ought really to be able to tell them a little more of this Supplemental Estimate than he had done. Those who had experience in business could not understand the difficulties with which he was beset. There was another point which was not alluded to last night, and which he must impress on the Government. The Foreign Office should not send consuls to places where they were not wanted, and they could not be too careful in their selection of those they did send, for many of them were very peculiar men, and we were responsible for them. He hoped they had now heard the last of the Abyssinian war. It was all very well to talk of the honour and glory of the expedition, and of "the banner of St. George floating on the mountains of Rasselas;" but the tax-payers of this country had in the end to pay rather heavily for all these things.

THE CHANCELLOR OF THE EXCHEQUER said, he was sorry he could not give the hon. Gentleman any further information on this subject than he had stated last evening. He was not Chancellor of the Exchequer for India, and had no official pecuniary relations with India. He had neither been able to extract from the Indian Government any account, nor any account why they did not render one.

Resolution *agreed to.*

COURT OF COMMON PLEAS (COUNTY PALATINE OF LANCASTER) BILL.

(*Mr. West, Mr. Bazley, Mr. Davison.*)

[BILL 26.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. West.*)

MR. CROSS said, he believed the principle was a right one. It was much better for the interests of the country that people who lived in such populous districts as Manchester and Liverpool should have the opportunity of suing in this court, without going to Preston for the purpose of having their proceedings passed. Attornies practising in those parts would as soon have their pleadings carried on in London as in Preston. He should like to have some assurance, however, that the present officer of the court at Preston would not be damaged by the Bill, and that time would be given for the consideration of its details.

MR. BAZLEY said, he was convinced that the measure would prove to be of great practical utility. The Bill had the sanction of some of the most eminent legal men in Lancashire. He therefore gave it his support.

MR. HERMON said, he hoped the hon. Gentleman who had charge of the Bill would consent to postpone the second reading.

MR. WEST thanked his hon. and learned Friend the Member for South-west Lancashire (Mr. Cross) for the favourable opinion he had given, as no one, from his experience of the way in which business was conducted in the court, was better able to form an opinion as to the merits of the Bill. The Bill was generally approved of in Lancashire, and he could assure the House that the present prothonotary would not be subjected to any loss, but, on the contrary, the position of that officer would be improved by the passing of the Act.

Mr. AYRTON observed that if no objection was made to the second reading of the Bill, the Government must not be understood to acquiesce in all its provisions. There were some clauses, particularly those relating to fees, which required consideration.

Mr. Serjeant SIMON declared his desire to see these ancient courts swept away and local courts established throughout the country, and justice made accessible to all classes. That would best be done by a great and comprehensive scheme of legislation. He abstained from opposing the Bill, on the ground that as long as this court lasted—and he hoped it would not last long—they should make it as efficacious as they could.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* 5th April.

SEA BIRDS PRESERVATION BILL.

(*Mr. Sykes, Mr. Clay, Mr. Ward Jackson.*)

[BILL 28.] SECOND READING.

Order for Second Reading read.

Mr. C. SYKES, in moving the second reading of this Bill, stated that on Tuesday next a large number of gentlemen interested in the ornithological history of the country would meet at the Zoological Society's rooms to discuss the subject which he had brought forward, as a farmer's question, and as a merchant seaman's and deep sea fisheries' question. Disclaiming all acquaintance with the natural history point of view, he thought the subject deserving of the consideration of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. C. Sykes.*)

Mr. O. STANLEY supported the second reading. He deemed that the Bill was one which it was important to pass, not only for the purpose of stopping the wanton cruelty of destroying sea birds, but because their preservation tended to prevent the occurrence of many shipwrecks. He had received a letter from Sir F. Arrow, Deputy Master of the Trinity Board, in which the writer stated that the Board attached the greatest importance to the preservation of seafowl, as the best of all warnings to seamen when in proximity of land in thick weather, and that he quite approved the Bill, but wished it could be extended to prevent the taking of eggs also. With regard to the latter point, he believed that the hon. promoter of the Bill was willing to include eggs within its provisions.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* next.

BANKRUPTCY BILL.—LEAVE.

The ATTORNEY GENERAL, in rising to move for leave to introduce a Bill to consolidate and amend the Law of Bankruptcy, said, that whatever might be the successes of modern legislation, among them could not be reckoned the attempts to legislate in respect to bankruptcy. More than sixty years ago Lord Eldon, speaking of the then Bankruptcy Law, said, that in a number of cases its provisions were little more than stock-in-trade for Commissioners, assignees, and other officials, and the present Bankruptcy Law had been spoken of in terms of condemnation no less strong by the highest legal authorities in both Houses, and by the most eminent commercial men. The failure to deal successfully with this question had not arisen from want of attempts, for the Legislature, for the last half-century, had been almost constantly passing Bankruptcy Bills. There was one passed in 1825, and others again were passed in 1826, 1831, 1842, 1844, 1849, and 1861; and yet, notwithstanding all that legislative activity, it might fairly be questioned whether the Bankruptcy Law at the present moment was in a more satisfactory state than in Lord Eldon's time. Indeed, it might be questioned whether in some respects it was not worse. These considerations led to the conclusion that a sufficient remedy was not to be sought in a mere alteration of details. The time for patching up the Bankruptcy Law had passed. They must now go to the very root of the matter, and reform the system altogether. In recent times much thought and attention had been devoted to the subject. In 1863 a Committee of that House was appointed, consisting of men eminently qualified to deal with the question. That Committee took a great deal of evidence, and reported in 1864. The Report contained a number of valuable suggestions, some of which must form the basis of any satisfactory bankruptcy measure. In consequence of that Report several Bankruptcy Bills were introduced into both Houses of Parliament. In 1866 a Bankruptcy Bill was introduced by the hon. and learned Member for Richmond (Sir Roundell Palmer), at that time Attorney General, and in the following year another Bankruptcy Bill was brought in by Sir John Rolt, then holding the same office. Last year a Bankruptcy Bill, containing 500 clauses, was introduced by Lord Cairns in the other House, but from causes over which their authors had no control, all these Bills experienced an untimely fate. But, though none of them passed the Legislature, they had greatly facilitated the amendment of the Bankruptcy Law, inasmuch as each of them contained a number of valuable provisions. Therefore, the task he now desired the House to enter upon was rendered comparatively easy, though he did not disguise from himself that many difficulties still remained. In dealing with this question it was necessary to recur to first principles, and they had to ask themselves what was the object of a Bankruptcy Law. It appeared to him that the object could be stated in a few words. The object was to collect the proceeds of the estates of bankrupts, and to distribute them among the creditors as fairly, cheaply, and speedily as possible. That appeared to be the sole object of a Bankruptcy Law, and by attempting to do more they had done less. Previous legislation had departed from that simple principle, and had so far done wrong. From the earliest time of the Bankruptcy Law—that of Henry VIII. —until a comparatively recent period, the main object of the law had been to punish the bankrupt, who was denied his discharge upon any terms, and was treated more as a fraudulent than an ordinary debtor, or rather as a *quasi* criminal—and, indeed, at one time, a law was in force whereby, if he had not been able to prove that he had incurred his debts honestly, he was put in the pillory and had his ears cut off; but in later times a reaction had occurred too much in favour of the bankrupt, and judging from the effects of recent Bankruptcy Laws their object seemed to have been to protect the bankrupt against the creditor, to enable him to get rid of his debts and liabilities with the least possible trouble or annoyance to himself, to facilitate him in defrauding those to whom he was indebted, and in setting them at defiance; and a witness before a Committee declared that many debtors appeared to think it a duty to their families to take the benefit of the Bankruptcy Law once in seven years. It was right that the House should bear in mind the principal evils of the present system. One of these appeared to be that the Commissioners who administered the affairs of bankruptcy—he alluded principally to those of the principal court of London—though undoubtedly able men and faithful public servants, had failed to obtain the confidence of the public. This arose from various reasons. One was the defective state of the law, which mixed up judicial with administrative functions, which ought to be kept separate. Another reason was that their decisions were not uniform, and, consequently, the result was much uncertainty in the law. Again, they had exercised no sufficient control over their subordinate officers, and scandals had arisen among officials of the bankruptcy courts which were totally unknown in other courts. Then, again, the bankruptcy courts were overloaded by worse than useless officials who have helped to devour bankrupts' estates, and the result was that there had been much delay and negligence in collecting the effects of bankrupts, that those effects had been in many cases divided unequally, that in other cases in minute portions and after a long delay. The collection and distribution had been enormously expensive, and the public for these reasons dreaded the Court of Bankruptcy, and creditors were ready to agree to anything in order to avoid that tribunal. Such had been the dread of the Court of Bankruptcy that debtors had held it *in terrorem* over the heads of their creditors in order to force them into unfair compositions. The necessity for bankruptcy reform was universally admitted; but he would quote one or two figures to illustrate what he had said. The Returns for 1867 showed the total number of adjudications in bankruptcy was 8,994, of which 6,533 were made on the petition of the bankrupt himself. Further, out of these 8,994 cases, there were 5,876 in which no dividend whatever was paid, and in half of the 1,649 cases in which a dividend was paid that dividend amounted to less than 2*s.* 6*d.* in the pound. Exact information as to the cost of collecting and distributing assets was very difficult to obtain; the most favourable estimate he had heard was 33 per cent, but he was inclined to think that that was far too favourable. In the evidence before the Committee of 1864 of Mr. Clarke, the accountant, this is reported—

> "I see by the account that in respect of the sum of £489, 911 paid in dividends there have been incurred expenses amounting to £157,299, and in addition all the expenses of the Court, £126,213 ?—Yes. Making altogether £283,512 ? —Yes."

That was nearly 60 per cent. Referring to a speech of his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), in introducing his Bankruptcy Bill in 1866, he found this statement with reference to 1865—

> "The total assets realized amounted to £856,955 9*s.* 8*d.* It was estimated by good authority that, including all costs, no less than £370,000 odd was expended in collecting and distributing that £856,955 ; while the whole amount of the dividends was only £434,952 12*s.* 10*d.*, so that the expenses of collection and distribution amounted to 75 per cent on the sum divided."—[3 *Hansard,* clxxxiii. 689.]

In some cases the expense was even greater; one case had come to his knowledge in which £244 had been spent in collecting £66; and this, he believed, was but one of a great number. Having said sufficient to account for the general dissatisfaction with the present law, he would address himself to the remedy. But before he proceeded to the subject of bankruptcy proper, it was necessary to deal with a preliminary question of much importance—namely, the subject of imprisonment for debt: the weight of authority on this subject was overwhelming. The abolition of imprisonment for debt had been recommended by a Royal Commission in 1832, by the Bankruptcy Commissioners in 1842, and by a Committee of the House of Commons in 1864; each of the Bills also introduced in consequence of the Report of that Select Committee had proposed the abolition of imprisonment for debt. As for the principle of imprisonment for debt, if imprisonment was to be treated as a punishment, it was unjust, because it confounded the innocent with the guilty; if it were treated as a remedy, recent legislation had made it quite ineffectual. An imprisoned debtor could immediately appeal to the court and obtain a discharge, and in the case of debtors who did not appeal the Registrar attended periodically and released them whether they willed it or not. To revert to the old system was impossible; nothing remained to be done but to abolish imprisonment for debt altogether. But there was one exception to be made to this, and that had reference to the powers of the County Court Judges, who had power to imprison in cases where a debtor had means and refused to pay, or where he had contracted a debt fraudulently. He confessed he desired the abolishment of this power also, but did not see his way clear to doing so, because almost all the County Court Judges were of opinion that if they were deprived of this power the efficiency of the County Court system would be destroyed. The Government, however, had decided to modify the law in this respect by providing that no warrant for imprisonment should be granted except by the Judge in open court, for there was reason to suppose some loose practice had been carried on in the way of committing persons to prison without sufficient evidence; and that the County Court Judges should make a Return to Parliament every year of the number of committals made, that the system might be amended if it was found to work ill. He should be glad to hear this matter discussed, and especially glad if it could be shown that it would be safe to abolish the exceptional power he referred to altogether. He proposed to deal with the question of abolishing imprisonment for debt by a separate Bill, to be introduced a few days hence; the present Bill would refer only to bankruptcy. The evidence taken before the Committee established distinctly two things. First, that the English system of bankruptcy had substantially failed; and, secondly, that the Scotch system of bankruptcy had substantially succeeded. The conclusion naturally pointed to the adoption of the Scotch system, which had been more or less adopted by every Bill based upon the Report of the Commissioners; but the Bill he was now asking leave to introduce adopted the Scotch system more nearly and completely than any Bill hitherto submitted to Parliament. The great merit of the Scotch system was its simplicity; the absence of officialism; allowing the creditors to administer the estates in bankruptcy by themselves, and in their own way without interference and with only the necessary supervision of the court, and the separation of the administrative and judicial functions. These were the principles the Government proposed to adopt in the Bill he was about to introduce, and he would proceed to state in what manner they would work. The first thing they proposed was, when a man committed certain specified acts of bankruptcy, or being called on to pay a debt, he did not come into court and deny it on his oath, nor pay it, he should be adjudicated a bankrupt, and then his creditors would be called together. A preliminary proof of debts would be taken before the Registrar, in order to determine the right of creditors to vote at that meeting. There would then be three courses open to the creditors—They could accept a composition, and then there was an end of the bankruptcy; they could, if they pleased, agree to a deed of arrangement—and there would be provisions in the Bill whereby the Judge of the Bankruptcy Court would finally determine the validity of all such deeds, so that they might not be contested, as they frequently were in other courts—or the creditors might, if they chose, proceed in bankruptcy. If they did proceed in bankruptcy they would elect a trustee. Now, that trustee was not to be an official of the court; he might be anybody whomsoever they might select. Their choice was absolutely unfettered. They would select their own trustee and decide on the terms of his remuneration. That was essentially the Scotch system. In Scotland the effect of the system had been to call into existence a number of persons who made the office of trusteeship a kind of profession, and they succeeded in proportion to their diligence, capability, and trustworthiness. If a trustee did not manage an estate well, and only realized small dividends, he would not get much employment. It was in this as in other professions. The effect of a similar law in this country would, he believed, be to create a similar profession, so that there would be no difficulty in the way of creditors in the choice of able and efficient trustees. The trustee would receive proof of debts, and would determine thereon subject to an appeal to the Judge. He would proceed to realize the estate, to declare dividends, and generally to wind-up the estate. But he would be subject to certain checks and control. One check would be this—The creditors would elect some of their number—in Scotland they were called commissioners, here they would be called inspectors, but the name signifies little—who would keep a watch and exercise some supervision over the trustee: further, his accounts would be audited by the accountant in bankruptcy, and the whole system would be superintended by the Judge. In certain cases where, upon the application of a creditor, the step seemed to be necessary, power was given to appoint a receiver before the appointment of a trustee, and the Judge would have authority in particular circumstances, if he saw there were no dividends to be realized, to supersede the bankruptcy. Such was an outline of the system they proposed to establish, which he believed was almost entirely in accordance with the Scotch system. In all discussions on Bankruptcy Law certain cardinal questions arose with respect to which he might be fairly asked what course it was proposed to take. One of those questions was, whether or not they should allow a debtor to make himself bankrupt on his own petition. He answered that they did not propose that he should. As long as imprisonment for debt remained, it was but fair that a man should be able to release himself from imprisonment by an appeal to the Bankruptcy Court; but with the abolition of imprisonment for debt it appeared to him that the benefit of any such privilege should cease. Let it be borne in mind that the object of the Bankruptcy Law was not to benefit the bankrupt, but the creditors. It was for the fair distribution of the bankrupt's estate. Therefore, it seemed to the Government that the Bankruptcy Law should not be put in motion by the bankrupt himself, but at the suit of the creditor, and by that provision he believed they should at once get rid of a vast number of bankruptcies in which no dividend was made and by which the Court of Bankruptcy was incumbered. And here he might refer to figures before quoted in order to show that the greater number of bankruptcies, at present, were on the bankrupt's own petition, and scarcely in any of these was any dividend taken. There was another question of very great importance, on which he was aware there was a great diversity of opinion, and that was as to the terms on which a bankrupt should be discharged—whether or not his after-acquired property should be liable to his creditors. Now, it seemed to the Government that his after-acquired property should be liable for his debts, but liable only to a limited extent. Let them consider what was the contract to which a bankrupt was subject. It was to pay his creditors in full; and if they stepped in with the legislation for the relief of that contract they had a right to impose conditions and to insist that the after-acquired property should be liable to some extent. But if they made it liable to an unlimited extent and for an unlimited time, they would crush and paralyze the man and prevent him perhaps from ever succeeding in life. They therefore proposed a course between the two extremes—that the after-acquired property should be liable for a certain time—namely, for six years, unless he had paid a dividend to a certain amount, and that dividend was fixed at 10*s.* in the pound, subject of course to a certain alteration in the figures. It was provided that it should not be liable at the mere discretion of creditors, but only upon an order in court; but at the same time any creditor would have the power of releasing his debt, and a large majority of creditors—five-sixths, he believed was the Scotch system—would be able to release the bankrupt altogether. He knew that the fixing of a certain dividend was a very vexed question. The main argument in its favour was this—that by fixing a dividend they encouraged the man to stop before his estate was dissipated, and it was most desirable to do so. It was sometimes suggested that bankrupts would obtain a great quantity of goods on credit for the purpose of swelling their dividends. That was an evil which would sometimes occur, but its possibility did not appear to outweigh the advantages of fixing a certain dividend. The proposition which he made on this point was in accordance with recommendations of the Committee of 1864, and with the authority of the hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer) as appeared by the Bill of 1866. Besides, he thought they would be able to meet the difficulty by an increased stringency in the criminal law, and that brought him to another part of the subject. It appeared to the Government that the Committee were right when they recommended that the Court of Bankruptcy should not be a criminal court, but that it should be confined to the administration of the bankrupt's estate, and that whatever criminal offences a bankrupt might commit should be tried by the ordinary criminal tribunals. He believed it to be a sound principle, although they had departed from it in 1861, when they gave to the Court of Bankruptcy a sort of *quasi* criminal—as it were a censorial—jurisdiction. Power was given to the court to punish offences of a semi-legal, semi-commercial character—offences not against the law of the country, but against a certain undefinable code of commercial morality. For instance, a bankrupt was to be punished for living extravagantly, or entering into imprudent speculations. Now, it appeared to the Government that this censorial jurisdiction, which was admitted on all hands to have failed—he believed it had been scarcely ever exercised, or, if so, it had been exercised with no advantage—should be abolished, and there was a general concurrence of opinion to that effect. They gave the Court of Bankruptcy all the powers necessary to deal with the estate of the bankrupt, and to enforce discovery; but they gave the criminal tribunals all the power to deal with any offence he may have committed against the law. They repealed an Act, the wisdom of which he never could see, which prevented the magistrates of quarter sessions from trying offences against the Bankruptcy Act, so that while they took from the Court of Bankruptcy its criminal jurisdiction they rendered more stringent the criminal law. The question was still under the consideration of the Government, but they hoped to submit the House clauses by which offences against the Bankruptcy Law would be clearly defined. He proposed to enact in this Bill the substance of some of the clauses of Lord Cairns' Bill of last year, which were to this effect — Certain acts of the bankrupt — such, for example, as concealing goods or destroying or mutilating books — were made offences without the necessity of proof of intent. As the law now stood, they must prove, not only that the bankrupt did that, but that he did it with intent to defraud, and it was often a very difficult thing to prove such an intent. The Bill proposed that certain acts should in themselves be held to be fraudulent, and to be offences, unless the bankrupt himself showed that they had been done innocently. Although that was, he admitted, to some extent exceptional legislation, he believed it would be effective. But as those provisions would probably come better in a separate Bill, he proposed to bring in another measure, the title of which would be, "A Bill to abolish Imprisonment for Debt and to punish Fraudulent Debtors." There was another matter cognate to that to which he would now refer. Complaints had been made that bankrupts by settlements and post-nuptial settlements frequently contrived to cheat their creditors. As the law now stood there was great difficulty in upsetting those settlements, because they had to prove — which it was often far from easy to do—that bankrupts at the time they made them were actually insolvent. He proposed, therefore, that all post-nuptial settlements which should be followed by bankruptcy within two years should be absolutely void, unless the bankrupts could prove affirmatively that they were solvent when they made them. The next question—and it was a very important one—was by whom was the law to be administered? — for the best law, unless well administered, will fail. In the country he proposed that the law should be administered by a County Court Judge, subject to the continuance of the bankruptcy districts as long as the present district Commissioners held their offices, after which time they would be absorbed into the County Courts. He now came to the court in London, which would comprise several County Court districts in itself. It had appeared to the Government desirable that the new system should be set in motion and superintended by a superior Judge of the highest authority. He wished to speak with no disrespect of the present Bankruptcy Commissioners; on the contrary, for many of them he had the highest esteem. Still, he thought it almost impossible that those gentlemen, some of whom were advanced in years, and who had been long accustomed to the present system, could be expected to inaugurate the new system with sufficient energy and authority. It was therefore deemed advisable that a superior Judge should be appointed, and accordingly it was proposed that Her Majesty should have power to appoint one of the Judges of the Superior Courts of Common Law. The Government were in hopes that no addition to the number of Judges would be necessary, for although the whole number — namely, eighteen—were now occupied, three of them being engaged in trying election petitions, yet the present labours of those three, it was to be hoped, would be soon over; and it was also to be hoped that for some years there would be very few election petitions for them to try, in which case they would be relieved of a great portion of that work, and might be better able to attend to the bankruptcy business. At the same time, as the Government had no wish to impose duties too onerous on the Common Law Judges, there would be power given by the Bill to appoint another Judge, if necessary. The functions of the Judge would be these—He would have to frame, with the concurrence of the Lord Chancellor, rules and regulations for the purpose of regulating the practice in the local courts and in his own court. The Government desired to leave as much scope as possible for rules and regulations, and not attempt to legislate for every conceivable case or point of practice, because if they did so their Bill must run to enormous length. It was far better to allow matters of procedure and detail to be settled by general orders, if they had confidence in their tribunal; and if they had not confidence in their tribunal, they ought not to intrust it with these functions at all. They had empowered the Judge of the Probate Court to frame such rules and regulations, and the system had there been found to work exceedingly well. Again, as to the Judges appointed for the trial of election petitions, Parliament had not attempted to fetter them by legislating for every point of practice, but had left them with the power of framing their own rules and regulations; they had set themselves most diligently to work for that purpose, and their rules and regulations answered very well. It was, therefore, proposed to give to the Lord Chancellor and the Judge in Bankruptcy the power of framing rules and regulations for determining the procedure of the Bankruptcy

Court. Of course, he would also exercise a supervision over all the officers of his court; and it was to be hoped that none of the fantastic tricks sometimes played by such officials would be again heard of. It was likewise proposed that there should be a power to remove, if necessary, cases of great importance and which would be somewhat too heavy for the County Courts to the court in London; and they further intended to give the Judge the power—and he thought it was a very important one—of summoning juries for the purpose of trying any bankruptcy cause which might arise. For example, sometimes a debtor, on being summoned to court, denied the debt and swore that he had a good defence; in which case the matter was sent to a Common Law Court, and a debtor, by obtaining a special jury, might frequently succeed in delaying the trial for a year. It was therefore proposed to give the Judge in Bankruptcy the power of summoning a jury and trying the question at once. They also proposed to empower the Judges of the Superior Courts of Common Law to send what he might call bankruptcy causes, such as fraudulent preference, and the like, to be tried in the Bankruptcy Court; and in that manner a great amount of relief would be given to what he might term the congestion of causes at Guildhall and Westminster. He now came to the question of appeals. They proposed that appeals should go to the court from which the Judge came, and that its decision should be final, except in cases where the court might think fit to grant a special case, or reserve special points for the House of Lords. Now, of course the plan which he had sketched would involve a certain amount of compensation to those whose services they proposed to dispense with; but he was happy to inform the House, from inquiries which he had made, that he believed the fund of the Bankruptcy Court would be more than sufficient to meet all the claims of that kind which would arise. He would only further say that the Bill which he had to lay before the House would be a Consolidation Bill, containing, he believed, the whole of the Bankruptcy Law, so that the man who held it in his hand would have all the information that was necessary without having to go back to previous statutes. It was also proposed to simplify the Bill as much as possible. The Bill of last year contained upwards of 500 clauses; and another Bill for the abolition of imprisonment for debt contained sixty to seventy, making between the two about 600 clauses altogether. Now, he confessed he looked with dismay on the task of passing a measure of 600 clauses. The Government draftsman had therefore been instructed—and he would, no doubt, obey his instructions—to shorten and simplify as much as possible, and he believed that the measure which he would lay on the table would not be one-third of the length of that introduced last year. In conclusion, he could only thank the House for listening with so much patience to what had been necessarily a long and dry statement, but he had endeavoured to be as brief and as clear as he could. He would only say that the Government had been most anxious in framing the Bill to consult the wishes of the commercial classes, and had put themselves in communication with a number of the Chambers of Commerce throughout the country which represented a great amount of the opinion of those classes. They had received from those bodies a number of valuable suggestions, many of which they had adopted. He was not sanguine enough to suppose that the Bill was entirely without its defects; indeed, he looked forward to its being materially improved when it went before a Committee of the House. And of this he felt assured that the Government, in their attempt to deal with that important and difficult question would receive the candid consideration, and he believed he might say the co-operation of both sides of the House. The hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

Mr. NORWOOD said, he had never heard so satisfactory an explanation of a measure for amendment of Bankruptcy Law as that which had just been made by the hon. and learned Gentleman, whom he might almost have imagined to be a commercial man with great experience of the abuses of the present system. Without attempting to go into details he might, he believed, say on the part of the mercantile community that the Bill would, as regards its main provisions, meet with their entire approval. The Scotch Law had worked well, and he was glad that its main principles would be embodied in the Bill, and the more so as the question of assimilating the commercial laws of the United Kingdom was one of the highest importance. The Irish Bankruptcy Law was not satisfactory in the opinion of many Irish Members, and if that were so, he trusted it also would be assimilated to the present measure. With regard to many of the points just referred to there would doubtless be much variety of opinion in the commercial world; but with respect to the subject of post-nuptial settlements, he, for one, entirely concurred in what had fallen from the hon. and learned Gentleman. As to the question of the Judge, however, he confessed it was rather a difficult one. When the present law was enacted Lord Westbury desired that a Chief Judge should be appointed, but he was overruled, and this was certainly a matter which would require the calm and earnest consideration of the mercantile community. He agreed in the broad principle laid down by the Attorney General, that the chief object of Bankruptcy Law should be to enable the assets to be collected and distributed as quickly and as economically as possible. In conclusion, he expressed his opinion with the approval, he believed, of his mercantile friends around him, that this appeared to be one of the most satisfactory measures which had ever been presented to the House of Commons.

MR. BARNETT said, he was anxious to offer his tribute of congratulation to the hon. and learned Gentleman for having introduced this Bill at so early a period of the Session, when there was time to bring it to a successful issue. The existing law had been felt by all persons engaged in trade to be a disgrace to our code for several years past. With regard to the details of the Bill, it would, of course, be premature to offer any remarks at present; but he cordially agreed with those provisions of it which proposed to assimilate the English with the Scotch system of bankruptcy, which, it was admitted on all sides, had worked well. He approved of the abolition of imprisonment, and that the future acquired property of a bankrupt should be made liable. It was desirable that bankrupts' estates should be economically as well as speedily realized, and he hoped the provisions of the Bill were such as would realize both those objects, and the costs be thereby greatly diminished. It appeared to him, however, that if all the cases in bankruptcy were to be taken before one Judge great delay must necessarily ensue. It was rather a satire upon the working of the present system that the funds of the wretched estates that had not been distributed to expectant creditors were sufficient with which to pension the officials of the present Bankruptcy Court.

MR. CRUM-EWING congratulated the country on at last having a measure before it which would assimilate the Law of Bankruptcy in this country to the excellent system of Scotland, and paid a high tribute of praise to the Lord Advocate, to whose efforts they were indebted for the Scotch Law, observing that if he had never done anything else, or did anything more, that act alone would place him as a commercial lawyer on the highest pinnacle of fame.

MR. RATHBONE said, he thought there ought to be an official similar to a public prosecutor in bankruptcy cases, because it not unfrequently happened that the interests of the public did not concur with those of either the creditors or the debtor. The interests of public credit and of public morality were often at stake, and surely the commercial morality of a nation like ours was of the highest importance, for if England were to retain her proud position as the centre of the financial operations of the world there must be no recurrence of the commercial scandals which had come to light during the last few years. He regretted, therefore, that the Government had not seen their way to provide some machinery for the protection of the interests of the public in this respect.

MR. HERMON approved generally of the Bill, but thought that the provision requiring a bankrupt to show a certain amount of dividend ought to specify a limit in point of time prior to the bankruptcy. He was also of opinion that the Bill ought to contain a clause providing that every trader who became bankrupt should show that he had taken stock and made up a balance-sheet once in every year.

SIR FRANCIS CROSSLEY thanked the Attorney General for the very able statement he had laid before the House, and he wished at the same time to express his opinion that the Bill he had brought forth was one which would give great satisfaction to the commercial community. At present it was found that the Bankruptcy Law was so eaten up with officialism and expenses that a debtor had only to threaten his creditors that if they did not accept the composition he offered he would go through the Bankruptcy Court in order to induce them to accept whatever he chose to offer. The plan shadowed forth by the Attorney General was, that a man might not make himself bankrupt, but that his creditors must judge whether they would make him a bankrupt or not, and when they had made him a bankrupt they were not to hand over all his effects to officials, but they were themselves to have the power of handling his effects. He thought that was just what was wanted, and he was sure that the Bill would meet with the hearty support of the mercantile community. He looked on the brevity of the Bill as not the least of its merits.

Mr. CROSS also expressed his approval of the measure in general terms, and thanked the Attorney General for the courtesy which he had displayed towards the members of the Chambers of Commerce who had waited upon him on the subject. The main principle of the Bill, that of placing the liquidation of a bankrupt's estate in the hands of mercantile men instead of in the hands of lawyers, would, he felt assured, be hailed with satisfaction by the commercial community. He sincerely trusted that the learned Attorney General would be more fortunate with this Bill than his predecessors had been with the Bills which they had brought forward. One of the great features of the Bill was that it separated the administrative from the judicial functions of the Court of Bankruptcy. At the same time he regretted that no provision had been made for seeing that the bankrupt who committed a fraudulent act should be brought before a court of justice, because he did not at present see whose interest it was that such a person should be punished. He should also like to have some information respecting the County Courts. This Bill would throw a great deal of extra work upon them, but he knew that if the present arrangement were continued the extra work would be a great deal more than they could manage.

Mr. MORLEY said, he hoped that the hon. and learned Attorney General would lose no time in placing the Bill in the hands of hon. Members, so that, consistently with a due consideration of the measure, as little delay as possible should take place in the passing of the Bill through that House. He believed that no Bill which the Government had introduced this Session would give so much satisfaction to the country at large as that which had been shadowed out by the hon. and learned Gentleman that evening. He was convinced that the proposal to appoint a Chief Judge would be most acceptable, especially in the City of London, where the judgments of the Commissioners had so varied that the mercantile community would be thankful to have an authoritative decision in Basinghall Street. He likewise rejoiced at the declaration of the Government that the time had come when imprisonment for debt should cease. At the same time he was rather glad to hear that the Attorney General was not prepared to put an end to the power of the County Court Judge, to deal with cases of contempt, and those of traders who should refuse to obey any order he might make in respect to their debts. He approved of the separation of the administrative from the judicial functions of the court, but thought that some means other than those existing were needed for originating proceedings against fraudulent debtors. He believed that the Bill pointed to the appointment of a public prosecutor, and he should be happy if such should be the result of the discussion which would take place upon the measure.

Mr. CRAWFORD, on the part of the commercial community with which he was connected, begged to assure the learned Attorney General that his Bill would meet with a very warm reception, and that it would be fairly and candidly considered. He concurred in what had been said by his hon. Friend the Member for Bristol (Mr. Morley), in regard to the Bill, because a very long experience and personal acquaintance with him in business matters had satisfied him that there was no person more capable than he was of forming a correct opinion on the matter of Bankruptcy Law.

Mr. JESSEL, as a lawyer, could not coincide with several Gentlemen of mercantile experience who had spoken in praise of the measure. He recognized in the lucid statement of the Attorney General many features of the old Law of Bankruptcy which had to be abandoned because they had completely failed. They must recollect that the Bankruptcy Law in this country was very old. From the statute of James down to the statute of William IV. the administration of bankrupt estates was wholly in the hands of the creditors, who appointed assignees, who acted much as they thought fit, and without any official interference whatever. The result was that the place of a bankrupts' assignee became one of great profit. He recollected having heard a story of a boy who, having been asked once in a bank parlour what he would like to be, replied, "a bankrupts' assignee," and that was a class of official on whom checks must be put, if the new system was to succeed. He would not give a decided opinion upon the Bill until he saw what checks were provided in this respect. As to what lawyers called, "the order and disposition" clauses in bankruptcy, they were a law, in short, for enabling the creditors of a bankrupt to take other people's property. If a bankrupt happened to have in his possession property belonging to other people over which with their consent he exercised acts of ownership, the creditors might divide it among them. This had always appeared to him to be a scandal and an abuse. The original pretext for this law was that the bankrupt being in ostensible possession of property which had induced persons to give him credit, those persons had a right to share it. But the Judges interpreted the reason of the law to be something quite different. Moreover, the law was inconsistent, for if the owner of the property took it out of the debtor's possession before he committed an act of bankruptcy, or if the owner took it away afterwards without notice of the act of bankruptcy, the creditors had no remedy. This law had been used for the robbery of innocent and ignorant persons, and he trusted that in Committee it would be wholly swept away. Another point was, the effect of what was called a certificate of discharge. The proposal of the Attorney General, that a man's future-acquired property should not go free, was a very old one. Under the Insolvent Acts, which applied to non-traders, future property of the insolvent became liable to his old debts by an order of the court; but these provisions, as lawyers knew, were an utter failure, and therefore he could not be sanguine of the success of the present proposal in respect of traders. A provision prescribing the amount of dividend to be paid had also been tried. Under the Law of Bankruptcy which existed prior to the change in the reign of William IV. a certificate protected a bankrupt once, but, if he became bankrupt a second time, he had, in order to be protected, to pay a dividend of 15*s.* in the pound. Again he appealed to the experience of lawyers whether that provision ever had any practical operation. It had been found utterly useless; it did not prevent men from becoming bankrupts three or four times, nor did it enable creditors to become possessed of their after-acquired property. Great results, therefore, could not be expected from an experiment which had been tried, but which entirely failed. As to the discharge of a bankrupt, our law appeared very defective. In modern times that discharge was often illusory. Instead of being a complete discharge from all liabilities arising from contract, it was a discharge only from such liabilities as could be proved as debts under the bankruptcy. Now, in these days men incurred a vast amount of liability which could not be proved as a debt. For instance, in a recent case a bankrupt, who was an honest bankrupt, and had given up every farthing, happened to be a shareholder in several companies. They were supposed to be solvent; at all events, they were going concerns. But the assignees of the bankrupt wisely declined to take to these shares; as the law stood, the bankrupt had no means of freeing himself from them; and the result was that, within a short period of his bankruptcy two of those companies were wound up, and the official liquidator put this unlucky bankrupt on the list of contributories, and gave him the alternative of paying or of going through the Court of Bankruptcy a second time. He hoped the Attorney General would make provision for such a contingency, and would take care that all liabilities arising from contract, whether proveable under the bankruptcy or not, should be barred by the certificate of discharge, subject, of course, to any provision as to future property if the House should determine in favour of such a provision. As he understood the Bill, arrangements were to continue, but under the present law you could not have satisfactory arrangements. The trustees under the deed of arrangement did not, as regarded third parties, stand in the same position as assignees in bankruptcy. The trustees could not take advantage of a fraudulent preference against the man who had been a party to the fraudulent preference, and any Amendment and Consolidation Bill ought to provide that it should not be necessary to make a man a bankrupt in order to defeat the claim of a person who had obtained from him unfairly a preference over the other creditors. It was now necessary, in order to bring an action, to make a man a bankrupt. With regard to settlements by bankrupts, he thought the suggestion of the Attorney General a solid improvement in the law, but it should include all voluntary settlements, and extend to deeds of arrangement, the trustees of which should have the same right as assignees to call on the bankrupt to show that he was solvent when he executed the settlement. Again, it was to be hoped that the whole system of dealing with the freehold, leasehold, and copyhold estates of bankrupts—a system which was cumbrous, expensive, and annoying in the extreme—would be amended. He would not now go into details upon this point, but hereafter would suggest some clauses which he hoped the Attorney General would consider improvements and would be inclined to adopt.

Mr. MUNTZ said, he thought that the remarks of the hon. and learned Member would have been more in order if the Bill had been in Committee. He rose merely to thank the Attorney General for the measure he had proposed. It would meet the wishes of a vast number of the commercial classes, and especially of a large class in the town he represented; and if it passed this Session, which he trusted it would, it would relieve the country from one of the greatest grievances of the day. The present law was nothing but cheating made easy. It was a premium on bankruptcy, and a few weeks after having passed through the court many persons were seen riding in carriages.

The ATTORNEY GENERAL, in reply, expressed his thanks for the cordial co-operation which had been promised him from both sides of the House. There were only one or two points that required his attention. He had been asked how he supposed that one Judge would be able to deal with all the questions that would come before the court? His answer was, that almost all the business would be conducted by the creditors themselves, and that very little would be left to the Judge, who, he trusted, would not find much employment. It would be the duty of the Judge to exercise a general superintendence and to decide all questions of law that might be submitted to him. He had also been asked how it was proposed to deal with a bankrupt who obtained a quantity of assets immediately before his bankruptcy. Such a case would be met by the provisions of the criminal law, and when it was asked who would conduct the prosecution, he could only reply that that was a part of the great question of the appointment of a public prosecutor—a question which he hoped before long would engage the attention of the House. With respect to the opinion of his hon. and learned Friend (Mr. Jessel), who was entitled to speak with great authority on this subject, he believed that his hon. and learned Friend's fears, on the score of there not being sufficient check upon the trustees, were without foundation. He had adopted those checks which in the Scotch system had been attended with perfect success. One of those checks was the appointment of a committee, another was the liability of the trustee to an accountant, who would audit his accounts; and a third was his own professional character, which would, of course, be at stake. He was inclined to think with his hon. and learned Friend that voluntary settlements should be placed on the same footing as post-nuptial settlements. In conclusion, he could only add that he would thankfully avail himself of the assistance offered him by his hon. and learned Friend in reference to some clauses of the Bill.

Motion *agreed to.*

Bill to consolidate and amend the Law of Bankruptcy, *ordered* to be brought in by Mr. Attorney General and Mr. Solicitor General.

DROGHEDA WRIT.

MR. GLYN moved that Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Drogheda, in the room of Benjamin Whitworth, Esquire, whose election has been determined to be void.

COLONEL TAYLOR said, that although he had in the earlier part of the evening presented a petition from Drogheda, praying that the Writ might be suspended, and although he believed there were grounds for suspending the Writ, yet he did not think, after what had passed on the previous evening, with reference to Bewdley, that he should serve any useful purpose by opposing the Motion. There did not appear, in the present state of the law, to be any precedent for directing a Commission to issue in cases where the only grounds of rendering an election void were violence and intimidation. It was to be hoped that in any alteration of the law, such as had been suggested by the hon. and learned Member for Oxford (Mr. Vernon Harcourt), provision would be made to meet the case of elections which had been disgraced by such scenes as those which had characterized the late election at Drogheda.

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) said, that after a careful perusal of the evidence concerning the late election at Drogheda, he had failed to discover the slightest reason which would warrant the suspension of the Writ. The election had been set aside on the ground that certain outrages, interfering with the freedom of election, were committed on the day of polling by a mob in a certain quarter of the borough. That, however, was not such a system of intimidation as was likely to interfere with the freedom of election in the future. He regretted, therefore, that the right hon. and gallant Gentleman (Colonel Taylor) should have made the observations which had just fallen from him.

MR. STAVELEY HILL said, he found sufficient justification for the remarks of his right hon. and gallant Friend (Colonel Taylor) in the Report of the Judge, who stated that a system of intimidation was organized and carried out in the late election, that such system of intimidation was subversive of the freedom of election, and that outrages were committed which were calculated to deter, and which did deter, some of the electors from recording their votes.

Motion *agreed to*.

House adjourned at half after Eleven o'clock till Monday next.

HOUSE OF LORDS,

Monday, 8*th March*, 1869.

MINUTES.]—PUBLIC BILLS — *First Reading*— Contagious Diseases Act (1866) Amendment* (29).

Third Reading—Brazilian Slave Trade (14).

EASTER HOLIDAYS.—NOTICE: HUDSON'S BAY TERRITORY.

QUESTION.

LORD CAIRNS thought it would be convenient to their Lordships if the noble Earl opposite (Earl Granville) were able to inform them what proposal he intended to make as to the date and duration of the Easter recess. The noble Earl would perhaps allow him also to put a Question as to another subject—namely, Whether any progress had been made in the negotiations between the Canadian Government and the Hudson's Bay Company?

EARL GRANVILLE had to state, in answer to the first Question of the noble and learned Lord, that the House of Commons had come to the laudable resolution, in consideration of the pressure of Public Business, to shorten the usual duration of the Easter holidays. But although he believed there had this year been more work and more discussion in their Lordships' House than customary at this early period of the Session, they could not be said to be overwhelmed with business. He therefore intended to propose the usual adjournment, which would be from Friday, the 19th of March, to Monday, the 5th of April.

With regard to the noble and learned Lord's second Question, the negotiations between the Canadian Government and the Hudson's Bay Company had been under his attention ever since he had

had the honour of being at the head of the Colonial Office, and he had had repeated interviews with the Canadian delegates and with the Chairman and Vice Chairman of the Company. At one time, he must say he felt perfectly hopeless of arriving at any amicable arrangement, the views of the two parties being so conflicting. But he had to-day sent a final proposal to each of them. He could not, of course, tell what the result would be, but he trusted that their good sense and moderation would induce them to accept it. At the same time, their Lordships must be aware that a scheme which was intended to reconcile the claims of two contending bodies must partake of the character of a compromise, and must, to some extent, be unpalatable to both of them.

PARLIAMENTARY PROCEEDINGS BILL.

QUESTIONS. OBSERVATIONS.

THE MARQUESS OF **SALISBURY** wished to know, Whether the noble Earl (Earl Granville), could fix any day for moving the appointment of the Joint Committee to consider the best mode of transacting the Public Business, to which reference was made last week?

EARL **GRANVILLE** said, he would answer the noble Marquess's Question to-morrow.

LORD **REDESDALE** said, he had stated the other night, and was still of opinion, that the object in view could be better carried out by a Standing Order than by a Bill, and he had therefore prepared a draft of a Standing Order, which he should be happy to submit to their Lordships. It would carry out the noble Marquess's intentions, though in a somewhat different manner. He thought it desirable that the resumption of a Bill should commence in the House where it had been originally introduced, and what he proposed was that it should be competent for any Member of the House, not later than ten days after the meeting of Parliament, to give not less than a week's nor more than a fortnight's Notice of a Motion, to suspend the Standing Orders in relation to any Public Bill which shall have passed that House, and not have been rejected by the other during the previous Session; and if that Motion be agreed to, that afterwards the Question that such Bill do pass shall be put and declared to be carried without further debate being allowed. The result of such a Motion would be that the Bill would be sent up to their Lordships, or sent down to the Commons, as the case might be, to be dealt with as if it had passed through the usual stages; it being provided that it should be returned to the other House, whether it had been amended or not, in order that that House might retain its hold of the Bill. The Bill would thus be taken up at the commencement of the Session, and each House would have reserved to it its proper jurisdiction. To proceed by Standing Orders would allow more freedom than if the matter was regulated by statute.

EARL **GRANVILLE** said, he found on inquiry, that a Bill could not be formally referred to a Joint Committee unless it had been before both Houses; but he had no doubt the Joint Committee, if one should be appointed, would nevertheless, give as much consideration to the measure as if it had been formally referred to them.

THE EARL OF **DERBY** said, he had received a communication from the noble Viscount (Viscount Eversley), the late Speaker of the House of Commons, suggesting a plan by which the object in view could be carried out by a Standing Order with the consent of both Houses. He thought it would be better to take no action in the matter until the Members of the Government in this House had had an opportunity of conferring with their Colleagues as to what plan was likely to prove acceptable to both Houses; and he hoped, therefore, the noble Marquess and the noble Lord, the Chairman of Committees, would not at present press their proposals. His noble Friend (Viscount Eversley), did not wish to bring forward his scheme formally, but it might, together with that of the noble Lord, be placed in the hands of the Government, that they might confer as to how the object in view could be best attained.

ORIEL COLLEGE, OXFORD, BILL.

SECOND READING.

Order of the Day for the Second Reading, read.

Moved, "That the Bill be now read 2ª."

THE EARL OF **DERBY** said, that this Bill involved some important principles.

In consequence of the position which he had the honour to fill in the University of Oxford, he had been consulted by both the promoters and opponents of the measure, had heard both sides, and had endeavoured to form an impartial judgment upon its merits. He was sorry to say that this was a case in which a house was divided against itself, the promoters being the junior Fellows of Oriel College, and the Principal, though not the only, opponent being the Provost of that College. In justice to the Provost it should be understood that his opposition was based entirely on public considerations, for the Bill would not come into operation until the next avoidance of his office, and personally he would not be in the slightest degree affected by it. There were no means of knowing precisely the emoluments at present enjoyed by the Provost in his academical capacity; but he believed he might say they did not exceed £500 a year—a sum which their Lordships would certainly deem utterly inadequate to maintain the proper position of a gentleman placed at the head of one of the most distinguished Colleges in Oxford. But in the reign of Queen Anne an Act was passed annexing to the provostship a canonry in Rochester Cathedral, on the avowed ground of the inadequacy of the College income to maintain his position; and in the reign of George III. another Act was passed—he presumed on the same ground—annexing to it likewise the rectory of Purleigh, in Essex. The present Bill proposed to deprive the Provost of these annexations. The two preferments, it seemed to him, stood on distinct grounds. Purleigh was a large agricultural parish, containing between 3,000 and 4,000 acres, and a population of about 1,000, and it was obvious that the parochial duties of such a rectory could not be discharged by the head of a College at Oxford, filling at the same time the office of a canon of Rochester, but must be intrusted to the exclusive care of a curate, on such a salary as the Provost might allow. The living, according to the Bill, was of the net value of £1,200 per annum, after defraying the expenses of the curate in charge; but, according to the *Clergy List*, the gross income, after deducting the salary of a curate, was only £1,141. As to the canonry, he saw no objection in point of principle to its retention by the Provost, for his academical duties were not such as to render it difficult for him to discharge the duties of a canon in residence during three months of the year. The Bill, however, proposed—he would not say to disestablish and disendow, although those terms had lately been much in vogue—but to disannex both the rectory and the canonry, and to effect an exchange, to be sanctioned of course by Parliament and by the Crown. The canonry it was proposed to exchange either with the Crown or the Bishop of the diocese for a living or livings of equal value, to be placed in the hands of the Provost and Fellows, and to be disposed of in the same manner as the other patronage of the College, subject to the proviso that the Provost should be expressly debarred from receiving such living. Practically, therefore, the Fellows would purchase ecclesiastical preferments. Now he felt bound to say that of all modes of ecclesiastical patronage that of Colleges was the most objectionable—and he said this without any disrespect—because practically they could exercise no option. Every living at the disposal of a College was usually offered to the senior Fellow, and he, if it was a good one, accepted it, while if not he rejected it, and it was then offered to the other Fellows according to seniority, till it was accepted by the one who thought he had the least chance of getting anything better. The consequence was that then there was no opportunity of preferring any person "extern" to the College to any living which any Fellow of the College thought it worth while to take himself. Practically then there was no option on the part of the nominal patrons, and he had certainly known cases in which the nominations made had been a scandal to the Church, and for which the only excuse had been that there was no option but to offer it to each Fellow in succession. There was a provision in the Bill that after sanction had been given to the exchange of the canonry for a rectory, or other preferment, it should be competent for the College to allot such a sum as they might deem necessary as compensation to the Provost for the alienation of the canonry. The object of the measure, as distinctly stated in the Preamble and in the first clause, was to enable a layman to be appointed to the Provostship of Oriel College. He believed there was at present no distinct prohibition of this, but the emoluments being mostly of an ecclesiastical character it was virtually necessary that a clergyman should be appointed. Now he did not object in principle to the alienation of the canonry and rectory which had formerly been annexed to the Provostship, but the Bill proposed that £900 out of the £1,100 or £1,200 which the rectory produced should be taken away from the rector and paid as compensation to the Provost, who would no longer have the slightest connection with the living. This arrangement seemed to him open to objection. While not wishing, then, to oppose the second reading, he thought there were questions involved in the Bill which called for the consideration of the House and the Government, and it would, he hoped, be carefully considered by the Select Committee to which it would be sent.

THE BISHOP OF LONDON said, he was glad that the Bill had not been read a second time *sub silentio*. But for the fact that the canonry and rectory had been given by Act of Parliament, and could not, consequently, be dealt with under the provisions of the Act of 1854, the College would, in the ordinary course, have applied to the visitor, whose office for several centuries had been exercised by the Crown, and the case would have been heard by the noble and learned Lord on the Woolsack, from whom it would, he was sure, have received the most careful consideration. He hoped the scheme would not meet with a smaller measure of attention than would in that case have been given to it. The object of the Bill, as the noble Earl (the Earl of Derby) had explained, was to enable the Fellows of the College to elect a layman as Provost if they thought fit. Whether that change was a desirable one he would not now discuss; but it might fairly be said that a clerical Provost could do everything that a lay Provost could; whereas there were some functions affecting the internal government and religious services of the College which a layman could not discharge. Still, it might be desirable not to fetter the discretion of the Fellows in this matter. He agreed, however, with the noble Earl that the mode in which it was proposed to carry out the exchange and to provide an endowment for the lay Provost was very objectionable. He did not know that he could go quite so far as the noble earl in his objection to the exercise of collegiate patronage. As long as Colleges could present young Fellows, they usually sent very useful clergymen; but the misfortune was, that the best livings were generally waited for by Fellows who had passed their period of activity, and often had no experience of parish work till a time when they had ceased to be fit for it. Instead of alienating from future rectors almost the whole of the endowment, he should prefer the sale of the advowson altogether, and the application of the proceeds to the endowment of the provostship. He trusted that the Bill would receive very careful consideration.

LORD REDESDALE said, he thought it was important to consider the propriety of altering the fundamental constitution of a College by a Private Bill. Such a proceeding he thought extremely dangerous. He was obliged to watch every Session against attempts to accomplish by private legislation objects which were of public importance; and, unless the practice was checked, the greatest mischief and confusion would arise. Power was given in cases like this to the Privy Council, the Orders being then subject to the confirmation of Parliament, and this was the proper course to be pursued.

EARL GRANVILLE said, he was not competent to enter upon the question as to whether the Bill should or should not have been introduced as a Private Bill; but certainly, whether this was a subject for private or public legislation, advantage had arisen from the Bill being placed by the noble Lord (Redesdale) among the Notices of Public Business. He understood the living of Purleigh was of larger value than had been stated by the noble Earl, the amount being £1,800. The object of the Bill seemed to him clearly a good one, for it could not be desirable that the head of a College should derive his income from a rectory at a considerable distance from Oxford, and from a canonry which was also distant. Whether Colleges were good patrons of livings was a question which he must leave to be discussed by the noble Earl and right rev. Bishop; but with regard to canonries he thought the Crown was a much better patron than for livings. As to the Provost being a layman, the wisest course surely was to allow the option, in order that the fittest man might be selected, whether lay or clerical. The remarks which had been made would, no doubt, lead to a very careful consideration of the details of the Bill by the Select Committee.

Motion *agreed to*; Bill read 2ª accordingly.

PUBLIC EDUCATION IN ENGLAND, IRELAND, AND SCOTLAND.

OBSERVATIONS.

EARL RUSSELL: My Lords, in calling attention to the accounts of the sums voted by Parliament for Public Education in England, Ireland, and Scotland, and to the Reports of the Commissioners of National Education in Ireland for 1866 and 1867, it may be convenient to state what are the subjects to which I shall not call the attention of the House. I will, first of all, premise that I have no intention to question the propriety of the decision of Her Majesty's Government not to introduce any great measure on the subject of education for England and Wales in the present year, and next that I do not propose to refer to Scotland, for I am satisfied by the statement which has been so ably laid before you by my noble Friend the Secretary of State for India (the Duke of Argyll) that the education of Scotland is placed upon a firm basis, and that the improvements recommended by my noble Friend will prove beneficial. But it is obvious that the question of education in England and Wales and also in Ireland must attract your Lordship's attention next Session, and it is advisable that we should know exactly where we stand and in what direction we ought to proceed. I may, in the first place, state that the present system of grants—if it can be called a system—originated in 1839; when the Archbishop of Canterbury, the Bishop of London, and the Bishop of Salisbury, on the part of the Church of England, with Lord Lansdowne, then President of the Council, and myself, at that time Secretary of State for the Home Department, agreed upon certain conditions on which grants should be made by Parliament for educational purposes. The Bishops, it was then arranged, were to be consenting parties to the appointment of inspectors for National or Church Schools in England and Wales, and the reports as to religious instruction were to be made to them in the first instance; while with regard to other denominations, assistance was to be given them for both secular and religious education; but no inquiry was to be made and no interference to be attempted with respect to the religious instruction. The only society to be assisted by grants, not denominational, was the British and Foreign School Society, which taught Christianity pure and simple, without any catechism or formularies. Now, that system, it is obvious, depended upon local resources, and on the aid given by the National Society and other institutions, and did not depend primarily on Parliamentary grants. I was curious to see what proportion of the funds, during the last ten years, had been derived from local subscriptions and school-pence, and what proportion from grants out of the public revenues. Well, I find by the Returns for England and Wales—for none have been yet issued for Ireland—that about two-fifths or 40 per cent is the proportion which has been derived from Parliamentary Grants, and three-fifths, or 60 per cent has been derived from local resources. In 1868, out of a total of £1,604,978 £583,794 came from the Treasury, and £1,021,184 from local sources; while in the ten years 1859-68, out of a total of £15,061,640, £6,070,135 came from Parliamentary grants, the remaining £8,991,405 coming from local sources. It is obvious from this Return that the conditions agreed to by Parliament were conditions depending in a very great degree on local sources—upon the willingness of residents to give subscriptions, and on the amount to be derived from the payments of the parents. It was not a State scheme of education originated by Parliament, but a plan of giving aid and assistance to local efforts and to the exertions of the Church of England, the various Dissenting bodies, and the British and Foreign School Society. That is, of course, quite different from a State plan of education. Looking back over the length of time during which that scheme has been in operation—about thirty years—it strikes me that while great good has been effected by the increased spread of education, and more especially by its improved quality, it cannot be said that the plan has been a success as regards the general education of the country. Comparing

England with other countries, both in Europe and America, such as Prussia and Saxony, and the New England States, or even with Scotland or Ireland, education in England is not generally and universally spread among the people. Instances in proof of this have lately been given, both by individuals and from public sources of information. A gentleman, whom I have the pleasure of knowing, the Rev. Canon Girdlestone, vicar of a parish in North Devon, lately addressed a letter to *The Times,* in which he said that he had a school in his parish, which cost £130, having 130 children, and, therefore, very cheaply conducted; but that only £25 could be raised by local subscriptions, about £24 17*s.* was derived from school-pence, and £56 from the Parliamentary Grant, he being himself obliged to supply the remaining £22 or £23 from his own resources. The living was what would ordinarily be called a good one, but it was subject to very heavy charges in the shape of poor rates and other burdens; and Mr. Girdlestone naturally described as a very great hardship on him, that in a parish, the valuation of which was £15,000 a year, he could collect no more than £25 in local subscriptions for the school. I have since seen Mr. Girdlestone, and he informed me that since his letter appeared in *The Times* he has had many communications, and that in particular the secretary or treasurer of a charity—Belton's Charity—which assists schools of the Church of England with small subscriptions of £5 or £10 each, had informed him that the complaint among the clergy is general. They say they cannot find willing subscribers among the landowners, and are obliged to contribute very largely in proportion to their resources in order to keep up their schools. I feel for them, for I must say that the conduct of the parochial clergy of the Church of England has been most admirable. They have subscribed to the utmost of their means for the promotion of education, solely, as I believe, from a desire to make their parishioners better men and better Christians, and for the general welfare of society. Having thus exerted themselves, it is very hard that so great a proportion of the burden should be cast on them. I have other information as to the unwillingness to subscribe. A return has been sent me by another gentleman, with whom also I am acquainted, the Rev. William Beal, vicar of Brooke, near Norwich, who has made inquiry among the Boards of Guardians in Norfolk as to the aid given to a particular class of paupers—children between five and fifteen years of age. An Act was passed, not many years ago, called Denison's Act, because it was introduced, I believe, by the present Speaker of the House of Commons, which enables Boards of Guardians to give relief in the matter of education by sending children who receive out-door relief to school and paying for their instruction. Going through the thirty-three unions of Norfolk, Mr. Beal finds that only five unions have adopted that Act in any degree, and one or two give scarcely any assistance—that the King's Lynn Union is the worst in the county, and that there is great unwillingness to put the Act in force. Mr. Beal has calculated the expense which would be involved, and he states that the education of the pauper children in Norfolk —upwards of 3,000 in number—in many unions would not exceed half a quarter of a farthing in the pound, and in others would be only half a farthing, while there is only one where it would exceed a halfpenny in the pound. Now that is a striking proof of the general unwillingness of the landowners and farmers of the country to promote education, notwithstanding that the Committee of Council have issued Orders which would enable them easily to do so. Mr. Girdlestone, indeed, states that two-thirds of the country are without schools. Possibly there may be some exaggeration in that estimate, but the general effect of the existing practice is that the country is dotted about with very good schools, well managed, with able masters and mistresses, while in a great part of the country there are no schools whatever, or only dame schools of a miserable description. Such being the case, I am persuaded that it will be necessary next year for the Government and for Parliament to establish a good and general system of education in England and Wales. I do not want to enter into the vexed question of rating, but I am glad to see that the Prime Minister has declared the intention of himself and his Colleagues—when the very heavy business now before them and other pressing affairs have been disposed of—to undertake the consideration of the whole question, and to endeavour to base taxation on principles of equity for the welfare of the whole community. Upon their decision on the question of local rating must in a great measure depend the solution of this question of national education. If it should be thought proper to continue the present amount of rating—which I trust will not be the case—it will be hopeless to expect fresh rates to be imposed and accepted for the purpose of education; but if the rating for certain objects, such as gaols and police, should be greatly diminished, it may be very possible to have rates for educational purposes. In the former case it would, I think, be necessary to provide, as in Ireland, sufficient funds from Parliamentary Grants for a general system of education, thereby relieving large numbers of persons who are now willing subscribers and placing the burden, where it ought to be placed, on the willing and the unwilling alike. There are two great questions connected with education—the one relating to the financial part, the other relating to religious instruction. With regard to the latter, I do not think there would be any great difficulty, for with a system of rating, it would be possible to give the control to the ratepayers, while with a system of public grants it would be the right of the State to maintain some control over the schools to be established. It would be right, also, to consider the case of those who have subscribed largely for many years and ought not to lose all the power over the school which was originally allowed them. It is a matter of contract with them, and for a certain time at least they should be allowed to retain some power. The rule should be nearly the same as that which exists in Ireland, where the situation is totally different from what it is in England. There is a considerable demand in Ireland for the substitution of denominational education for the present system. Now, that depends in a great degree on the financial question. If people who advance, as in England, three-fifths, or 12*s.* in the pound, ask the State for aid, it is only reasonable that they should expect a certain power over the management of the school, and should give directions as to the religious instruction to be given therein; but in Ireland, according to the Reports of the Commissioners of National Education in Ireland for 1866 and 1867, I find that the local subscriptions and school-pence only amount to about 7 per cent. 93 per cent. being contributed by the State. For people, therefore, who raise only 3*s.* in the pound themselves, and ask for the remaining 17*s.* from the State, to demand that the schools shall be entirely subject to their control and conditions is by no means reasonable. In Ireland, according to a plan first proposed by the late Lord Monteagle, and set on foot by a noble Lord opposite (Earl Derby) the rules and regulations of the National Board provide that the religious instruction shall be at separate hours, either before or after the secular instruction, and that every parent may withdraw his child from it if he desires to do so, a board being put up to announce the hour for such religious instruction. Parents may thus withdraw their children, whether few or many, and may obtain from the clergyman of the parish, if they are Protestants, or from the priest, if Roman Catholics, such religious instruction as is in accordance with their belief. That is a great security. But the Roman Catholic Bishops in Ireland have proposed that with regard to all schools containing no Protestant children, and to other schools which contain 24,000 Protestant children, they should be allowed the entire direction of the education, so as to have Roman Catholic emblems in the schools, and to have the education conducted entirely according to their own views. Now, it seems to me that, by this scheme it would be in the power of the Roman Catholic body directing the education either to make proselytes of the Protestant children, who would be obliged to bow and do reverence to those emblems, or to drive them out of the schools where they are now educated. These evils are very forcibly pointed out by the Board of National Education in their Reports for 1866 and 1867; and I hold in my hand, an opinion, in which I entirely agree, given by Archbishop Whately in 1843, when the system was much younger than at present, as to what would be the result of separate grants. Archbishop Whately said:—

> "Now, what would be the result of this system of separate grants of, suppose, £7,000 or £8,000 to Protestant schools, and £70,000 or £80,000 to Roman Catholics? In those numerous districts of the South of Ireland where there are in each school not above five or six Protestant children to, perhaps, 80 or 100 Roman Catholics—from the

smallness of the proportion of poor Protestants to the population—these poor children would either remain untaught, or, more likely, go to schools under the unrestricted control of Roman Catholics; and throughout Ireland the far greater part of the Roman Catholic population would be brought up in a system, it is to be feared, of bigoted jealousy against the Church, and alienation from their Protestant fellow subjects."

Now, with regard to "bigoted jealousy against the Church," we in England at this time need not be very anxious on that score; but with regard to "alienation from their Protestant fellow-subjects," it would be one of the greatest evils you could inflict upon Ireland. In short, it seems to me that, whereas, since 1829, we have been endeavouring by every means in our power to unite Roman Catholics and Protestants in the same education and in the same pursuits, with a view to diminish and finally destroy those feelings of alienation and ill-will which have so long been the curse of Ireland, I cannot conceive a mode in which the alienation and the ill-will could more certainly be revived than by having a separate denominational system of education introduced into Ireland. Much as I shall rejoice to see that system of tyranny and oppression called Protestant ascendancy put an end to in Ireland, I should not rejoice if I thought that Roman Catholic ascendancy was going to be established and to be accompanied with oppression of Protestants. I have nothing more to say than to impress upon the House that a more general system of education ought to be established in England, and I look forward with great anxiety to the measures which may be proposed for that purpose. I hope that when a measure is brought forward it will be as complete and as clear as the Government measure lately explained to Parliament and the country.

EARL DE GREY AND RIPON: None of your Lordships will have been surprised that my noble Friend, who for so many years has devoted so much attention to this subject, has brought it under your Lordships' notice; and I am exceedingly glad to find that the noble Earl does not blame Her Majesty's Government for not undertaking to deal with this matter by legislation in the course of the present Session. I am not surprised that my noble Friend acquits us of blame, because no one is better acquainted than he is with the magnitude and importance of the question; and I am confident that if it is to be dealt with by legislation it is necessary that it should be at a time when Parliament can give to it that large share of its attention which the importance of the question demands, and which could not be accorded during the present Session. It would have been very ill-advised on the part of the Government to bring forward a measure on this subject without a fair prospect of having it fully discussed in both Houses of Parliament and passed into law; and therefore it was, though with considerable regret, that Her Majesty's Government determined that it would be their duty not to deal with the general question of education during the present Session. Although I regret the necessity for postponing a measure which I admit to be to a considerable extent urgent, I am not sorry that delay will afford my right hon. Colleague and myself an opportunity of considering the question in all its bearings. Under these circumstances, my noble Friend will not expect that I should now declare to the House in detail what are likely to be the views of Her Majesty's Government upon this question. I agree with my noble Friend that there is ample evidence to show that the present educational arrangements in England are not altogether such as we could desire them to be. I believe that there are large portions of the population in our great towns whom our system of education very inadequately reaches. I believe that there are also portions of the country in the rural districts where, from the very nature of the system and the principle upon which it rests—that of aiding only those who aid themselves—it has a very limited application, and where it does not meet the real and just requirements of the country. At the same time, I think my noble Friend spoke in perhaps somewhat too disparaging a tone of the effect of the present system and of the great work which it is doing. With respect to the present state of matters, I have some details of a later date than those on your Lordships' table, and they show that the present system, imperfect as it is, is extending year by year in usefulness. The number of schools inspected in England, Wales, and Scotland in the year 1868 was 15,572, being an increase on the previous year of 981; the number of children present at inspection was

1,527,665, being an increase of 136,565; the average annual number attending was 1,241,780, which shows an increase of 94,317; the number of certificated teachers was 13,387, showing an increase of 774; the number of assistant-teachers was 1,279, being an increase of 76; and the number of pupil-teachers was 13,185, being an increase of 1,668. Now a system which provides education under the stringent regulations of the Privy Council, and under strict inspection, for an average attendance of 1,241,780 children, is a system which is doing a good work in the country, and which—whatever arrangements we may make ultimately—we ought not hastily or rashly to interfere with. It is one of the difficulties of this question that we have at work in this country at the present time so many and such various educational appliances. My own feeling is that, so far as they require to be supplemented in order to meet the wants of the country, supplemented they ought to be; but it would be unwise on the part of the Government or Parliament to throw aside or to waste any of those means of education which are now at the disposal of the country. A Return which lies upon your Lordships' Table shows how large an amount in England and Scotland was derived from two sources, distinct from the Government Grant—private subscriptions and school-pence. You may divide the income of these schools, not quite, but almost equally into three parts—the Government grant, voluntary contributions, and school-pence. In the latter there has been a steady increase during the last ten years. In 1859 in England and Wales the school-pence amounted to £229,000, and in 1868 to £430,000. During the same period voluntary subscriptions have fluctuated in amount, being sometimes more and sometimes less; but I am glad to say that at present the income derived from voluntary subscriptions is the highest received during the last ten years, or, I believe, at any previous time in the history of education. That is ample proof that there is a deep interest felt in this question by all classes in the country, and that those who have the means are not inclined to disregard their duties in respect to it. My noble Friend (Earl Russell) has, indeed, pointed out that there are many cases—and they are far too many—in which the burden of voluntary subscriptions and contributions to education is practically cast upon the clergy; but, although that is true in too many cases, I am confident my noble Friend will be the first to admit that there are in other instances very marked exceptions to the description he has given, and that there are many landowners in this country fully alive to their obligations in this respect, who subscribe munificently to educational objects. It is to be observed that the sum put down in the column as derived from subscriptions is intended to represent, as far as we are able, only the annual fixed subscriptions to different schools; and the sums which are contributed in many cases—sometimes by a clergyman, sometimes by a landlord—to make up a deficit at the end of the year fall under the heading of "other sources" in this particular Return; so that £500,000 of subscriptions represents pretty well £500,000 of regular and permanent income. With respect to that portion of the subject which relates to Ireland, on which the noble Earl has touched, it is not my intention to enter into any details at present, for, as my noble Friend knows, it is now being considered by a Royal Commission. My noble Friend has asked me why the Returns from Ireland have not yet been laid upon the table of the House. My noble Friend should remember that it takes longer to get Returns from Ireland than it does from this country. The Department with which I have the honour to be connected is not responsible for the delay; but I am pleased to be able to state that the Returns to which my noble Friend referred have been laid upon the table this evening, and will, I trust, by to-morrow or the next day be in your Lordships' hands. There is no doubt that when they are examined those Returns will prove the accuracy of the description given by my noble Friend. The main burden of education in Ireland is borne by the State, and the major portion of the remaining funds is derived from the school-pence, the amount realized from voluntary assistance being absolutely insignificant. Under these circumstances, I can only say in conclusion, as I began, that the subject will receive the fullest consideration at the hands of Her Majesty's Government. As your Lordships know, the matter has been inquired into by various Commissions and Committees, and it will be our duty—and from the great interest I feel in the question it will to me be a labour of love—to devote ourselves to the consideration of the facts developed in the course of these inquiries, with a view, not to overturn the system which already exists and does its work well, but to supplement it where it is imperfect, with the object, as far as possible, of bringing the means of education within the reach of the labouring population.

THE DUKE OF MARLBOROUGH: It was with considerable gratification, my Lords, that I heard the noble Earl the President of the Privy Council state his high appreciation of the work of national education as now administered by the Department over which he presides, and I cannot but think that my noble Friend, the more he sees of that system, which has now been administered by the Privy Council for nearly thirty years, the more he will find the advantages of the system in calling forth the voluntary efforts of the country, and in maintaining what has contributed so much to the religious education of the people—the denominational system. As to the complaints that are made of the educational deficiencies in this country, I believe it will always be found that the investigations have proceeded on erroneous data, and almost all the conclusions arrived at have been drawn solely from the knowledge within the reach of the public office, which is, of course, confined to the schools in receipt of annual grants. But that is a very inadequate view of the extent of educational movement in this country. It must be always borne in mind that there is an enormous amount of education conducted by voluntary societies—by persons who do not bring themselves under the control of Government by submitting to the receipt of grants, and this fact is generally lost sight of, or very inadequately appreciated. I hold in my hand a Return which I moved for at the end of last Session, and which resulted from the labours of the National Society. They have a decennial examination into the state of Church of England education throughout the country. I find in the Return which has only recently been printed, that out of a total of £8,991,405 expended in England and Wales in the course of ten years upon education, no less than £4,554,333 has been the result of voluntary subscriptions. While, too, I find this remarkable result on the face of the Return, I find also that from a total of 11,261 Church of England schools which have been included in the Return of those paid by the National Society, the number of those receiving aid from Parliamentary grants was 4,690, and the number that are not receiving Parliamentary aid is 6,571. When we think of the amount of voluntary effort which is represented by these subscriptions, which amounted in 1868 to £499,782, as regards schools receiving Parliamentary aid, what must be the amount of voluntary effort which exists in the Church of England when we find that there are 6,571 schools actually in operation, and attended by a large number of scholars, of which no notice is taken by the public office? Very little of this educational effort is shewn in the educational papers. In addition to that there is a large number of schools which belong to Nonconforming bodies, and which, when I had the honour of filling the office now held by the noble Earl opposite, were gradually perceiving the advantage of the assistance derived from the annual grants. For a long time there has been on the part of these bodies, what I cannot but look upon, to some extent, as a sentimental objection—not because the religious instruction they gave might be interfered with by the Government, but recognizing as they did the necessity of religious instruction—they had a sentimental objection to availing themselves of any assistance from the public funds. I am happy to say that, owing to the representations that were made, those objections had greatly decreased before the late Government went out of Office, and the great part of the increase in the number of schools receiving the grant, and of scholars under examination, is due to the removal of those objections; for the Nonconformist bodies are now beginning to feel the advantages that are to be derived from the public grants, and the disadvantages to which they have hitherto been put for the want of them. It is because I should be very sorry to see any steps interposed by the Government of the day which would at all imperil the success attending voluntary efforts, which are of the greatest importance to the religious education of the country, and to the denominational system upon which I believe so much of the religious education of the country is founded and based—it is because I should deprecate any State interference in that direction, that I hope Her Majesty's Government will remember, in any measure they may propose, that they are dealing with a matter of the highest importance to the country, and refrain from doing anything which may imperil a system which has been attended with such beneficial results.

LORD LYVEDEN rose to corroborate what had been stated by the noble Earl (Earl Russell) who introduced this question, as to the great indifference with which education was regarded by the agricultural classes. A meeting was held not long ago in the county in which he resided on this subject of education. Unfortunately, the Chairman put the question before the meeting, which comprised all classes, in the interrogative form—"Are you content with the present state of education, and with its results?"—and the cry came back from the agriculturists—"Yes, yes, quite;" and the reason was that they thought though education was of direct service to the manufacturing classes, in the agricultural counties education might be a pleasure to those who received it, but it was of very little advantage to them—it did not help them to get on in the world. Another reason of the indifference with which education was regarded by the farmers was this—that though it might be an advantage it had not been shown to tend to the diminution of crime. This was a very important subject. He wished his noble Friend had been able to bring forward some Returns tending to show that the decrease of crime corresponded with the increase of education. If he had any Returns to show that, the sooner he could put them into circulation the better, for he believed that one great reason why the farmers depreciated education was, that they did not see how the increase of education tended to the suppression of crime. In the preparation of any scheme for a general system of education, he hoped his noble Friend would never resort to a compulsory rate. Far from increasing education, he believed such a course would greatly tend to diminish it, for it would make the whole subject most unpopular, especially among the agricultural classes. He made these remarks on the state of feeling in the midland counties but must not be supposed to be in any way himself unfavourable to the progress of education.

THE MARQUESS OF SALISBURY: I am afraid that my noble Friend's greed for Returns has led him in this instance to ask for a Return which, when obtained, will be of very little service to him. I agree with the noble Lord opposite (Lord Lyveden), that not only has crime not decreased in proportion as education has increased, but I am afraid that an inquiry into the matter will reveal some awkward figures the other way. At one of the quarter sessions in my county the other day, the chief constable not only maintained that crime had increased in the county during the last ten years, but that it had increased very nearly in proportion to the spread of education. My Lords, I never could see myself what possible connection there is between the diminution of crime and the spread of education. Education does not alter a man's nature. You may alter the nature of the crime; you may change the paths by which the criminal will proceed; but crime is a consequence of moral depravity, and the mode in which it will be committed will be a matter of calculation with the criminal, no matter what the amount of education that may be given in your national schools. You cannot alter his nature, but you may give him more power, and greater skill in selecting the means by which he can pursue a course of crime with the greatest effect. The one way to diminish crime is to diminish pauperism; and I believe that, by the spread of education, pauperism may be very greatly diminished among the agricultural population. Every one must know that in respect of availing himself of opportunities the agricultural labourer is utterly helpless. He is utterly incapable of making use of any chance of bettering himself which may be presented to him, and consequently he remains in his low social position. Until we have a more general system of education you will never be able to induce him to help himself. But I must say I quite concur with my noble Friend (Lord Lyveden) in asking the Government to pause and consider before they make up their mind to introduce a general system of education based on general taxation. I am not insensible to the deficiencies of the present system; but I think the noble Earl opposite was rather hard against the landowners—to represent them as being opposed to the spread of education is somewhat hard; but I think matters would be still worse if only a limited area of the wealth of the country were made responsible. The noble Earl (Earl Russell) stated the case of King's Lynn, and of a parish there in which he thought the guardians were singularly insensible of the value of education. Now I know nothing of King's Lynn except that it is a port. Being a port and nothing else it derives its wealth from its harbour. Its property is centred in ships. What hope, therefore, have the guardians of raising a rate from the wealth of King's Lynn, seeing that if they make a rate for the purposes of education they must assess it on the same basis as that on which similar rates are assessed in other parts of the country? They cannot levy a rate on ships, and they may not like to throw what they would regard as an undue pressure on land, and where they see the rate operating so unfairly they would naturally grudge every additional farthing to be added to the rates. That very place, King's Lynn, would appear to me to afford an illustration of the danger which the Government would have to face in adopting anything like a general rate for the purposes of education. This is a point to which the Government must look in any reform of local taxation. At present you have no equality in local taxation—I doubt whether you can have it—but I should be glad to see the introduction of such a system of assessment as would make those five-sixths of the wealth of the country which now escape liable for that contribution to that taxation of which they ought to bear their share. But if in addition to the other burdens which land has now to bear you assume that it should also bear the expenses of national education, you will create a spirit of resistance which will secure for your system an amount of unpopularity which no improvement you may make in education will be able to counterbalance. I do not know what scheme may be floating in the mind of my noble Friend the President of the Council; but I do know that to a great extent the Government have pledged themselves to the principle of rating, and therefore I would ask my noble Friend to remember two things. First, that the moment you appeal to rates you kill voluntary subscriptions. People when rated for national schools will no more think of supporting a school by voluntary subscription than they would think of maintaining a workhouse by voluntary subscription. In the next place, I would ask him to remember that you cannot increase an already too heavy burden of taxation on one class without creating a feeling of distrust and a sense of wrong in the minds of those whom you wish to co-operate with you. For myself, I must say that I view with much suspicion any system of education based on anything like compulsory rating, unless the Government have first seen their way to removing the anomalies and the injustice now existing in respect of the taxation imposed on property, in which I include houses as well as land. I earnestly hope my noble Friend will take these matters into consideration before introducing his Bill. However great its other merits may be such a measure would have the effect of destroying a system of voluntary munificence, and that not from the richest class, such as no other country in the world has ever seen. If the Government were to frame any scheme which would have the effect of destroying this system, they will discourage allies whom they can never replace, and they will introduce a feeling of hatred and disgust on the subject which will effectually prevent all co-operation on the subject of education, until its promoters will be driven to find the whole funds for education out of Imperial taxation.

Earl GREY: I must protest against the statement of my noble Friend (Lord Lyveden) who drew his illustration from Northamptonshire, being supposed to be a correct representation of the feeling of the agricultural population in regard of education, and the invidious distinction he drew in this respect between the agricultural and manufacturing districts. It may be true that in my noble Friend's part of the country there is an indifference to education, that the proprietors and farmers may be indisposed to encourage it, and that the labourer may not find his material prosperity advanced by it; but I can only say that if this is a correct account of what exists in Northamptonshire it is totally unlike the state of things I have had the happiness to know in the north of England. In the north of

England, the desire to promote education is general on the part of the proprietors and occupiers of land, and the desire to obtain education is still more general among the working population. I need only refer to the interesting Report of Mr. Henley, one of the Assistant Commissioners for Inquiry into the employment of women and children in agriculture, which has lately been laid before Parliament. The Report I refer to shows that among the population of the north, education is practically universal. For myself, I can say I never remember seeing in Northumberland an agricultural labourer who could not read and write; and, as a general rule, they are highly intelligent, as all who know them will bear witness. The farmers are quite well aware that their own interests are promoted by having labourers of intelligence and some amount of education. They have largely availed themselves of machinery, the introduction of which is greatly facilitated by the intelligence of the labouring men, who, on their part, find that their education helps them to better places and better pay. That being the state of things among agriculturists in the part of the north of England with which I am acquainted, where I believe the population to be more generally and better educated than they are in our great commercial and manufacturing towns, I must protest against the invidious distinction sought to be drawn between the agricultural and the manufacturing districts.

THE BISHOP OF LONDON: My Lords, it seems to be generally supposed that the extent of education is to be measured by the Returns of the Privy Council. But the only schools which appear on the books of the Privy Council, and consequently only those which appear in their Returns, are schools which receive Government aid in some form or other. But beyond these there is a large number of schools of which, for various reasons, the Privy Council takes no cognizance. Now, my Lords, though I am not prepared to contend that a great many of these are not very indifferent schools, and although I have often regretted to see benevolent persons wasting their money upon them, I know that, on the other hand, some of the schools not under the Privy Council are very satisfactory schools indeed. Beyond Government inspection there is spread over the country a system of diocesan inspection which was far from inefficient in the diocese with which I was recently connected. In that diocese, last year, 311 schools underwent diocesan inspection; and that not in a cursory manner, for the Government forms were used, and the returns were made almost in exactly the same form and character as those returned to the Council Office by Her Majesty's inspectors. Some few years ago I had an opportunity of testing the value of diocesan inspection, and I found that in the case of schools subject to Government inspection the returns made by the Government inspectors and by the diocesan inspectors were almost identical; and the conclusion I drew from that fact was that I might safely take the returns of the diocesan inspectors respecting schools not under Government inspection as reliable. Before I sit down I must venture to express my surprise at the observation of the noble Marquess (the Marquess of Salisbury) that education had done nothing, and could do nothing to diminish crime. If that be the case surely we are spending our money upon education to no good end. Statistics may, undoubtedly, show that the noble Marquess is perfectly right in stating that the increase in crime has kept pace with that of education; but it has yet to be shown that those who form the criminal classes are recruited from among those who are educated in our schools. On the contrary, I believe, it has been shown that a large proportion of those found in our gaols either have been in no school at all, or have been at school for so short a time that the amount of education they have received is almost nil. No doubt, some particular branches of crime may be fostered by education—that is to say, education puts into the hands of an unprincipled man an instrument which he can use for the purpose of fraud; but that is not the case with crime in general, and, therefore, I must make my humble protest against the doctrine that there is no connection between education and the diminution of crime.

THE EARL OF HARROWBY said, he was glad to hear that, although it was not the intention of Her Majesty's Government to introduce a measure upon the subject of education during the present Session, it was not because they undervalued the importance or the pressing nature of the subject. With reference to the statement of the noble Marquess (the Marquess of Salisbury) that crime had not diminished with the spread of education, he might say that, in his opinion, if education were limited to merely teaching the mechanical processes of reading and writing, the effect would be rather to increase than diminish crime; but if to that mechanical teaching they added moral training, the result would be widely different and of a most beneficial character.

LORD BELPER said, he wished to draw their Lordships' attention to a point which was of great importance, although it had not been referred to in this discussion. It was true that large sums were munificently subscribed for the purposes of education, and that a great number of children attended our schools; but he feared that the results were not so satisfactory as was generally supposed. He believed the case to be that, of all the children attending these schools, only a small portion derived full benefit from what they had been taught. Too frequently they left the school before they had been well grounded in the rudiments of education, and after a short period they altogether forgot what little knowledge they had acquired, and the money expended upon their education was in a great measure thrown away. Of the children who had actually attended school, he believed it would be found that only a comparatively small proportion of them had learned to read and write well; and he feared that very few of those who were unable to read and write with ease troubled themselves to keep up those arts in after-life. He believed that, in this respect, this country would bear no comparison with such countries as Scotland, Prussia, and Saxony, which had been referred to in this debate. No doubt it was a matter of the utmost importance, and one upon which we had every reason to congratulate ourselves, that vast numbers of children attended school in the present day, and also that such vast sums were raised by private subscription; but it was not less important to discover what results followed from all these efforts, and how far they succeeded in accomplishing the objects which were aimed at. It was notorious that on referring to the calendars of criminals it would be found that by far the larger number of those committing offences were persons who had been imperfectly educated.

THE DUKE OF CLEVELAND said, he did not dispute the fact that children too often left school at a very early age, but it was almost impossible they could remain long enough to obtain all the advantages which were desirable. The education question was mixed up with the labour question, and a time arrived when parents naturally required the assistance of their children in earning a livelihood for the family. At the same time, he was bound to say that in the districts with which he was best acquainted there was an anxious and growing desire, even on the part of the agricultural population, for the education of their children. In the north of England this was more especially the case. In the south of England, wages, generally speaking, were not equally high, though they had increased of late years very much. A great desire for education also existed in this part of the country; but undoubtedly it too often happened that as soon as the children were old enough to earn money they were taken from school. The cause of education was thus injured by the state of the labour market. With regard to some of the countries mentioned by his noble Friend (Earl Russell), he rather doubted whether education was as perfect in them as had been suggested. In France, for instance, he knew that the same objection as to children leaving at too early an age was very general. In the ordinary course of things, children at a certain age must come, by their labour, in aid of the wages of their parents; and he knew of no mode by which, short of a much greater interference with labour than our present system warranted, their pecuniary need could be reconciled with the requirements of education. Education would not extinguish crime, but at least it altered its character. Persons of education from time to time commited grave crimes, undoubtedly; but crimes of the gravest class were less frequent among persons of education. This could be learnt, for instance, from the experience of the mining districts. The pitmen were, from various circumstances, a class in which education was very backward, and crimes of violence were common among them; but among persons of a better class such crimes were comparatively rare. He felt that, both as regarded the system of compulsory rating for educational purposes, and that depending mainly upon voluntary effort, which now existed, there were many circumstances requisite to be borne in mind. The clergy made great exertions in the cause of education, and frequently, in the absence of resident landlords, were called upon to make good deficiencies, and to meet claims which their own means ill enabled them to support. At the same time they would doubtless prefer to continue such sacrifices rather than resort to a system of purely secular education, which must follow the adoption of a system of rating. In whatever light the subject was looked at it was surrounded with grave difficulties. Increased facilities for education were undoubtedly required, and, whatever system was ultimately agreed upon, it was desirable to adopt something like uniformity. He, therefore, hoped that Her Majesty's Government, before committing themselves and the country to any course which must seriously affect the future of education in this country, would leave the question open for consideration and allow the whole matter to be fully and fairly discussed.

BRAZILIAN SLAVE TRADE BILL.

(*The Earl of Clarendon.*)

(NO. 14.) THIRD READING.

Order of the Day for the Third Reading, read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Clarendon.*)

Lord CHELMSFORD: I very much regret that I was not in the House on Thursday evening last, when the noble Earl the Secretary of State for Foreign Affairs took occasion to make some observations upon a statement made by me in the debate upon the second reading of the Bill, to the effect that I had not been consulted by the Government of the day previously to the adoption of the Act of 1845. I had not the slightest notion that it was the intention of the noble Earl to make any observations whatever upon that statement, or I certainly should have been in my place in the House. The noble Earl has said that as I was so constant in attendance he took it for granted that I should be present on the evening when he called my conduct in question. My Lords, I am quite sure that was the reason which induced the noble Earl not to give me the customary notice; but I cannot help thinking that, when the noble Earl came down and found that I was not in the House, as the matter was not pressing, and as there could have been no inconvenience in postponing his observations to the following evening, he might, in courtesy, have done so upon this occasion. I will go a little further. The noble Earl had found in the Foreign Office an opinion of mine, given by me when I was a Solicitor General, in conjunction with Sir John Dodson, the Queen's Advocate, and Sir William Follett, then Attorney General, on the Brazilian Treaty. That document convinced the noble Earl that I was inaccurate in the statements I made. I can hardly think that the noble Earl could have attributed to me any intentional mis-statement. [The Earl of Clarendon: Hear, hear!] He might have thought that it arose from a failure of memory, and it would have only been consistent with the character of the noble Earl if he had sent me a line to say that I was under a mistake as to what had happened twenty-three years ago, for he had found an opinion which I had given at that time upon the subject. I can assure him that if he had done so I would have come down immediately and expressed my sense of obligation to the noble Earl, and I should have, of course, admitted that I was inaccurate in the statement I had made. I do not know that there was anything which I said upon the second reading of the Bill, which should induce the noble Earl to treat me—I will not say with intentional discourtesy—but, at all events, in so unusual a manner. The present Government had nothing to do with the Act of 1845, and the present Bill is introduced for the purpose of repealing it. Whatever my opinion might originally have been, I examined very carefully, before the discussion upon the second reading of the Bill, the treaties with Portugal, and the treaty with Brazil of 1826, and I have conscientiously come to the conclusion that that Act ought never to have passed. The difference between the noble Earl and myself was that he proposed the repeal of the Act because it had done its duty in suppressing the slave trade, while

I, on the contrary, having re-examined the matter, changed my opinion and came to the conclusion that the repeal of the Act was proper because it ought never to have been passed. I have merely risen to state that I had utterly forgotten the fact of my having been consulted as to the treaty and having given an opinion twenty-three years ago. I regret very much the inaccuracy of my statement, and still more that it should have placed the noble Earl under the necessity of making personal observations upon me during my absence.

THE EARL OF CLARENDON: I can assure the noble and learned Lord that there was not the slightest intentional disrespect on my part in the observations I made on the previous evenings. What I said was that the noble and learned Lord was one of the most constant in his attendance in this House, and that it did not occur to me that I should not find him in his place when the Bill went through Committee. If it had occurred to me that he would not have been present I should have sent him the notice that he had a right to expect. Perhaps I ought not to have made that statement in his absence. If in any respect I was deficient in courtesy to the noble and learned Lord I must express my regret; but I must say that I very much desired to remove the impression that, I believe, would prevail, and which I know did prevail in some quarters, that the noble and learned Lord, having been a Law Officer of the Government who introduced this Bill, had not been consulted with respect to this measure. I listened with very great respect to the speeches of the noble and learned Lord, and the other noble and learned Lord (Lord Cairns), because they analyzed and pulled to pieces a Bill that was about to repeal an Act of Parliament, upon the ground that it was unjust and harsh, and that the Government and the country had no right to pass it. In fact, they used all the arguments which the Brizilian Government were in the habit of using against that treaty. The tendency of such a course must be to revive bad feelings and old animosities. Their opinions, coming from lawyers who have held such high offices, of course command great respect, both at home and abroad, and they would not only revive animosities in Brazil, but claims against Her Majesty's

Government that can never be recognized. With regard to the noble and learned Lord's defect of memory, I must add that in 1849, when the noble and learned Lord was free and unfettered from office, a Bill was brought in by Mr. Milner Gibson to repeal the Act of 1845. The noble and learned Lord was not only in the majority against the Bill, but he took the lead in opposing it, and an hon. Member who was present told me that so well did the noble and learned Lord defend the Act itself and the principle on which it was founded, that although Lord Palmerston and Sir Robert Peel followed in the debate, they could say nothing new, and the opponents of the Bill concentrated their efforts in attempting to answer the noble and learned Lord. I have not been able to refer to that speech of the noble and learned Lord; but I have no doubt I should find in it an ample refutation of the speech which the noble and learned Lord delivered the other night. The noble and learned Lord the Leader of the Opposition (Lord Cairns), treated the production by me of the opinion of the Law Officers of the Crown as a breach of confidence almost without precedent. I did not quote the opinion of the Law Officers of the Crown—I merely read an abstract of that opinion, such as we are in the habit of making at the Foreign Office of the confidential despatches which are laid before Parliament. I brought with me the correct copy of the opinion of the noble and learned Lord and the other Law Officers of the Crown, that he might test its accuracy. There are certainly precedents to be found for producing the opinions themselves. An Address was moved by Lord Malmesbury for copies of any Papers or opinions relative to the assessment of claims of compensation against the Government of Brazil. Another case still more recent can be quoted in reference to the Hyde Park riots, in May, 1867, when my noble Friend (the Earl of Derby), then at the head of the Government, not only produced the opinion of the Law Officers of his own Government, but also those of a former Government. The public mind was then much agitated, and it was a matter of importance to show on what grounds the Government had proceeded, and what was the state of the law, and my noble Friend took a most authentic means of putting the public in possession of that which it was most desirable should be known. One of the opinions then produced was signed by Sir Hugh Cairns, and it was read before the noble and learned Lord, then a Member of this House, without any opposition being raised on his part to the proceeding. A precedent was thus established for reading the opinion of a Law Officer of the Crown verbatim, which is what I did not do.

Lord CAIRNS: I rise in consequence of the remark just made by the noble Earl. I stated the other day that I remembered one instance in which a general rule had been departed from on very special grounds, but at the time the rule was departed from a protest was entered against its being brought forward as a precedent. I recollect that in the much disputed case of the claims made with reference to the steamer *Cagliari* the Law Officers of two successive Governments differed in opinion, and the Law Officers of the second Government were not even unanimous. On that very special and peculiar ground the House of Commons asked for the opinions of the Law Officers, and they were laid before it. Of all cases in which I should have thought it improper to depart from the general rule that the opinions of Law Officers are sacred, I should have thought that case the strongest where you wish, not to establish some question of general interest, but to found a personal charge against one of the Law Officers of the Crown who signed the opinion.

Earl GRANVILLE: I think the noble and learned Lord has made a mistake in supposing that the noble Earl brought this matter forward the other day with any personal motive. As a discussion may arise between the Brazilian Government and this country it was desirable that the Brazilian Government should not be led into the belief that the Government of this country had not acted upon legal advice of an imperfect character. The other day the noble and learned Lord had gone away, or I should have ventured to remonstrate with him for stating that words which fell from him were unimportant. I think it can hardly be considered that words used by a noble and learned Lord, holding the position of ex-Lord Chancellor, are unimportant; on the contrary, they are regarded as of the greatest possible importance. He stated on that occasion that there had never been but one precedent of the communication to Parliament of the opinions of Law Officers, and that was protested against. Three such instances have been quoted this evening. The noble and learned Lord now draws a distinction between opinions on national and opinions on international questions; but he did not give us the slightest hint the other day of any such distinction. However, I remonstrate against the doctrine that words falling from him can be of little or no importance.

Lord CAIRNS: The noble Earl says he would have remonstrated the other day, but that I had left the House, and to-night he has adopted a course which comes exactly to the same thing, for I have already spoken in this debate, and therefore am not able to reply without violating the rules of debate in your Lordships' House.

Motion *agreed to*; Bill read 3ª accordingly, and *passed*, and sent to the Commons.

CONTAGIOUS DISEASES ACT (1866) AMENDMENT BILL [H.L.]

A Bill intituled an Act to amend the Contagious Diseases Act, 1866—Was *presented* by The Marquess Townshend; read 1ª. (No. 29.)

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 8*th March*, 1869.

MINUTES.]—Supply—*considered in Committee* —Navy Estimates.

Resolutions [March 5] *reported*—Supplementary Grants—Civil Service; Post Office Packet Service.

Public Bills—*Ordered*—*First Reading*—Municipal Corporations (Metropolis)* [39]; Corporation of London* [40].

Second Reading—Metropolitan Commons Supplemental* [30]; Inclosure of Lands* [31].

IRELAND—INSPECTORS OF FISHERIES.

QUESTION.

Mr. STACPOOLE said, he would beg to ask Mr. Attorney General for Ireland, Whether the opinion of the Law Officers of Ireland has been taken as to the legality of the Warrant appointing Major Hayes and Mr. Brady Inspectors of Fisheries; and, if so, whether there is any objection to lay a Copy of that opinion upon the Table of the House; whether the Commission under which Mr. Lane, Q.C., and the other Fishery Commissioners sat, has been revoked or cancelled; and, if so, when; and, if there is any objection to lay upon the Table of the House any Correspondence that has taken place between Her Majesty's Government and the late Fishery Commissioners on the subject?

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) in reply, said, that the opinion of the Law Officers of the Crown in Ireland as to the legality of the Warrant appointing Major Hayes and Mr. Brady Inspectors of Fisheries, had been taken, but it was not usual to lay a copy of an opinion of the Law Officers on the table. However, as it had been communicated to Major Hayes and Mr. Brady, he had no objection to state the substance of it which was that the appointment was illegal and invalid, and he might add that the opinion of the Law Officers of the Crown in England, which had also been taken on the subject, was substantially the same. The Commission under which Mr. Lane, Q.C., and the other Fishery Commissioners sat had been revoked under Royal Sign Manual, dated the 30th of January of the present year. There was no objection to lay on the table the correspondence between Her Majesty's Government and the late Fishery Commission on the subject.

NAVY—SLAVE TRADE, WEST COAST OF AFRICA—QUESTION.

SIR WILLIAM HUTT said, he would beg to ask the First Lord of the Treasury, Whether the Government propose to maintain any naval force on the West Coast of Africa, for the purpose of suppressing the Slave Trade?

MR. GLADSTONE: I can give my right hon. Friend an answer that I hope will be satisfactory to him, in reference to his inquiry on a matter in which he has taken so active and distinguished a part. Of course, we speak now of the West Coast of Africa exclusively, and I must be understood to say nothing which would prevent Her Majesty's Government from keeping some limited force upon that coast if we thought it necessary for purposes of trade. Subject to these two limitations, I can assure him that the squadron has been reduced, and that the matter is under consideration now with the view and with the hope of its entire withdrawal.

IRELAND—THE LATE CITY OF DUBLIN ELECTION.—QUESTION.

MR. O'REILLY said, he would beg to ask the Post Master General, Whether, previous to the late Election for the city of Dublin, any—and, if any, which—of the Candidates for that city canvassed, with the consent and permission of the Post Office Authorities in Dublin, the officials of that department in the public offices, and during office hours; and, if so, whether such Candidate or Candidates were accompanied in their canvass by any official of the department; and, if the preceding Question be answered in the affirmative, what official is responsible for what has occurred; and, to ask the Secretary to the Treasury, whether any—and, if any, which—of the same Candidates visited the Custom House in Dublin during business hours, and there canvassed the persons employed in the Civil Service; and, if so, whether he was accompanied by any of the superior officials, or whether such canvass was conducted in those public offices in the presence of the superior officials?

MR. AYRTON said, that in the absence of his noble Friend, the Postmaster General, he would give his hon. Friend an explanation, and the best way to do that would be to read an exact statement of what had occurred, which the Government had received from the authorities in Dublin. It was as follows:—

> "Previous to the late election for the City of Dublin, one of the candidates for that city did, with the consent of the Post Office authorities in Dublin, canvass the officials of that department in the public offices and during the office hours. The particular candidate who did so was Sir Arthur Guinness, and he was accompanied in his canvass by an official of the department, and the official who is responsible for what occurred on that occasion is the Secretary to the Post Office in Ireland. So soon as this came to the ears of the then Postmaster General, the Duke of Montrose, he at once expressed his disapprobation at the proceeding, and caused a general circular to be issued throughout the United Kingdom, warning officers of the department against allowing canvassing to take place in the Post Office buildings."

With reference to what had occurred in the Custom House, he had received the following statement:—

"Sir Arthur Guinness and Mr. Plunkett, with the private secretary of the former gentleman, called at my office previous to the election to request my vote, and Sir Arthur asked if I had any objection to his requesting other officers for their votes, and if I would introduce him to them. I replied that he was at liberty to request the vote of any officer, but I declined to introduce him or in any way interfere with the free exercise of the votes of the officers under me. My attention having been called a day or two afterwards to a paragraph in a local newspaper to the effect that the officers had been canvassed in the Custom House and in the Post Office during business hours, attended by a superior officer, I made inquiries so far as my department was concerned, when I learnt that Sir Arthur Guinness had, accompanied only by his private secretary, asked the votes of four clerks at their respective desks in the Long Room, and that of the surveyor in his office, which did not occupy more than a few minutes. From my inquiries now I believe this is the extent of the canvass referred to as having occurred in the Custom House, and I am satisfied that none of the superior officers accompanied any candidate in canvassing the officers, or in any way influenced the free exercise of their votes. I have, also, no reason to suppose that the restrictions conveyed in the General Order 107, 1868, have been in any way neglected by the officers."

That was signed by Mr. Trevor, collector.

THE DEANERY OF LICHFIELD AND RECTORY OF TATENHILL.

QUESTION.

MR. M. A. BASS said, he would beg to ask the hon. Member for North Devonshire (Mr. Acland), Whether the Ecclesiastical Commissioners recognize the appointment of the Dean of Lichfield to the Rectory of Tatenhill; whether they have taken the opinion of the Law Officers of the Crown on the subject; if so, whether he has any objection to state that opinion; and, whether the patronage of the Living of Tatenhill, of which the Duchy of Lancaster was deprived by the Act 5th of Anne, is not restored to the Crown by virtue of the Act 3rd and 4th Vic. c. 113; whether the Commissioners contemplate any new Legislation in this matter; and, what is the revenue of the Deanery of Lichfield apart from the Living of Tatenhill, now producing about £2,000 per annum?

MR. ACLAND said, that, in reply, he must ask permission of the House to make a short statement, in order that the purport of the answer might be fully understood. Tatenhill was distant from Lichfield about ten miles, its population was 3,000, its income about £1,800 a year, of which there had been hitherto paid only £120 to one curate, and £130 to another; one of the curates being removable at the pleasure of the Dean, the rectory having being attached to the deanery for a great many years. The income of the deanery was small, being derived from the Dean's share of the chapter's estates, and did not exceed £500 a year. In the reign of Queen Anne, by statute, the rectory of Tatenhill was appended to the deanery; and by an Ecclesiastical Commission Act of 1850 it was enacted that thereafter no Dean should accept, take, or hold with his deanery any benefice not within the city. The Ecclesiastical Commissioners in 1852 augmented the deanery prospectively up to £1,000 a year. On the death of the late Dean, Canon Champneys was appointed to the deanery, and had taken possession both of the deanery and the rectory. He (Mr. Acland) had obtained a copy of a letter which the Dean had addressed to one of the Commissioners, in which he stated that when he was offered the deanery he was informed that the rectory of Tatenhill was attached to it, and he stated his desire and intention to make adequate provision for the spiritual wants of the whole parish; that he authorized the insertion in the public journals of a statement to that effect on the 7th December, and that having made himself more fully acquainted with the wants of the parish he was fully prepared, in the event of its being decided that the rectory was still annexed to the deanery, to carry out his intention. He would now proceed to answer the Questions. As to the first Question, whether the Ecclesiastical Commissioners recognize the appointment of the Dean of Lichfield to the rectory of Tatenhill, that was a legal question, the decision of which did not rest with the Ecclesiastical Commissioners. As to the second Question, the Commissioners had taken the opinion of the Law Officers, and the Law Officers were agreed that the Dean of Lichfield could not accept or hold the rectory; but they were not all agreed on the question whether the emoluments passed to the Ecclesiastical Commissioners. But the Dean, he was bound to say, had forwarded to the Ecclesiastical Commissioners a case, together with a statement of the opinion of Sir Roundell Palmer and Mr. Mellish, and their opinion was to the effect that Canon Champneys, on becoming Dean of Lichfield, became *ipso* *facto* rector of Tatenhill. The hon. gentleman's next Question was whether the patronage of the living of Tatenhill was not restored to the Duchy of Lancaster. It was not possible, in the present uncertain state of the law, for him to say, whether the patronage of the living had been restored to the duchy. The next Question was, whether the Commissioners contemplated any new legislation in that matter? It was not quite certain that the Ecclesiastical Commissioners, in the discharge of their duty as trustees of a public fund, had any interest in that matter; but he might express a hope, which was shared by many of them individually, that the Government would think it necessary to introduce fresh legislation on the subject. As to the last Question, with reference to the revenue of the deanery of Lichfield, apart from the living of Tatenhill, now producing about £2,000 per annum, he had already stated that the deanery, exclusive of the rectory, was in 1852 prospectively augmented to £1,000 a year. That augmentation was made under an Order in Council, which was not revocable without legislation.

IRELAND—POLLING-PLACES—THE LAW OF CIVIL BILLS.—QUESTIONS.

SIR FREDERICK HEYGATE said, he would beg leave to ask the Chief Secretary for Ireland, Whether the Government intend to make any and what arrangements to obviate the present danger and inconvenience admitted to exist from the insufficient number of polling-places in Ireland; and, whether, no General Election being apparently imminent, similar facilities as to the number and distance of polling-places should not be at once afforded in Ireland to those that exist in England and Scotland? In the absence of the hon. Member for Coleraine (Sir Hervey Bruce) he would also ask the right hon. Gentleman the Question which stood in his name—namely, Whether he intends to introduce a Bill this Session to amend the Irish Civil Bill Acts?

MR. CHICHESTER FORTESCUE, in reply, said he was not aware of what amount of danger or inconvenience was admitted to exist in Ireland from an insufficient number of polling-places, nor that the applications for additional polling-places had of late years been numerous; but no doubt there were considerable imperfections in the present law on the subject, and there were obstacles in the way of the Privy Council acting on the applications which might come or which had come to them, in a few cases, from Quarter Sessions, for additional polling-places. He thought some legislation would be necessary on the subject, and the matter was under consideration. With respect to the Question as to the amendment of the Irish Civil Bill Acts, that matter was under the consideration of the Attorney General for Ireland.

EXPENSES OF THE DIPLOMATIC SERVICE.—QUESTION.

MR. WHITE said, he would beg to ask the First Lord of the Treasury, Whether he has taken any steps to carry into effect the Resolution of the House of Commons (May 26, 1868), viz.:—

> "That, in the opinion of this House, all sums required to defray the expenses of the Diplomatic Service ought to be annually voted by Parliament, and that Estimates of all such sums ought to be submitted in a form that will admit of their effectual supervision and control by this House?"

MR. GLADSTONE, in reply, said, the Foreign Office, many months ago, before the accession of the present Government to Office, had directed its attention to that subject. A Bill had been prepared and was ready for introduction, for the purpose of dealing with the Diplomatic Service; and it was proposed that during the present year the expenses of the Diplomatic Service should be provided for under the Estimates.

CASE OF THE "TORNADO."

QUESTION.

MR. BENTINCK said, he would beg to ask the Under Secretary of State for Foreign Affairs, What is the present position of the "Tornado" case; if any steps have been taken for the recovery, from the Spanish Government, of the property of which the crew of that vessel were plundered, and for the payment to them of the indemnification claimed for the wrongful imprisonment and the treatment they experienced from that Government; and, if he will lay upon the Table such further Correspondence as has taken place respecting the "Tornado" and her crew?

MR. OTWAY, in reply, said, the hon. Gentleman was no doubt aware that the

Tornado had been pronounced a good prize by the court at Cadiz. But, in consequence of an assurance having been given by the Spanish Government that the defendants would have an opportunity of appealing to the Council of State, and that assurance not having been fulfilled, Her Majesty's Government had instructed our Minister at Madrid to apply to the Spanish Government that the case should be re-heard before a special tribunal. At the same time a request was made that the *Tornado* should not be sold. No reply had yet been received to that request, which was made in December last; but a communication had been made to Sir John Crampton from the Spanish Minister for Foreign Affairs that he was waiting for the decision of the Minister of Marine and the Colonies on the subject. Of course the claim of the crew must await the issue of the principal case. There would be no objection to lay the further Papers on the table.

THE CIVIL WAR IN HAYTI.

QUESTION.

MR. DILLWYN said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether any communications have been received as to the state of affairs arising from the civil war in Hayti; and, whether orders have been given to the West Indian authorities with a view to the protection of the interests of British residents in that Republic, should the necessity for it arise?

MR. OTWAY, in reply, said, that the only case for damage to British interests in Hayti which had been brought under the notice of the Government had reference to the seizure of certain vessels for the infraction of a blockade, the validity of which had not been acknowledged on account of its inefficiency. Commodore Phillimore had promised that twenty-four hours' notice should be given before any bombardment should take place, and that he would give every facility for the protection, as far as possible, of the lives and property of Her Majesty's subjects. The President Salnave had informed Commodore Phillimore that the people of Hayti deprecated anything which could lead to a misunderstanding with Her Majesty's Government, and that he had given orders to afford every protection to Her Majesty's subjects.

HER MAJESTY'S SHIP "BUZZARD" AND THE HERNE BAY OYSTER COMPANY.—QUESTION.

MR. PEMBERTON said, he would beg to ask the President of the Board of Trade, Whether, in answering a Question on Monday last with reference to the employment of Her Majesty's ship "Buzzard" on behalf of the Herne Bay Oyster Company, he intended to state that the ship was sent on the report of one of the Inspectors of Fisheries, made by him officially as an inspector; whether he is aware that the Herne Bay Company is by their Act placed under the supervision of "the Inspectors of Fisheries under the Salmon Fishery Act, 1861," of which body Mr. Pennell is not a member; whether he is aware that Mr. Pennell was one of the promoters and original shareholders in the Company; and, whether he will produce copies of all the Reports or Letters, whether of inspectors or other persons, in consequence of which the Board of Trade recommended the ship to be sent?

MR. BRIGHT: The Report to the Board of Trade, which decided the action of the Board of Trade and of the Board of Admiralty, was, I believe, made by Mr. Pennell in his official capacity. The hon. Gentleman supposes that these matters are under the Salmon Fisheries Act of 1861; the fact is, that in certain specified events, the Salmon Fishery Inspectors are to make inquiry if the company's ground has been properly cultivated. The hon. Gentleman asks whether I am aware that Mr. Pennell was one of the promoters and original shareholders in the Herne Bay Company? I am not aware that Mr. Pennell is a shareholder of that company, but I believe he had some connection with it in its origin, but before he became inspector he had ceased to have a connection with the company. The only official Paper is the Report of Mr. Pennell. Probably the hon. Gentleman will be satisfied with seeing the Report at the Board of Trade; if so, if he will call he may see it. If after that he sees any public ground for having it printed, I have no objection; but I think he will perceive that my answer meets all the points requiring reply in his Question.

REGISTRATION (IRELAND) ACT.

QUESTION.

Sir HERVEY BRUCE said, he would beg to ask the Secretary to the Treasury, When the money will be paid to the Clerks of Unions and Town Clerks in Ireland awarded for special services under the Voters Registration Act of last Session?

Mr. AYRTON said, that the accounts had been examined, and the money would be speedily paid.

COLLECTION OF RATES AND TAXES.

QUESTION.

Sir JOHN SIMEON said, he would beg to ask the President of the Poor Law Board, Whether it is the intention of the Government to give effect to the recommendation made by the Select Committee on Poor Rate Assessments, to the effect that Local Collectors should be appointed to collect the Local Rates and the Taxes payable by the Taxpayers resident in the parish?

Mr. GOSCHEN, in reply, said, he thought the recommendation of the Select Committee in question was most valuable, but he was afraid that effect could not be given to it this Session. It formed part of the whole subject of the machinery of local taxation, the importance of which the Government fully recognized, and was also connected with the task of reducing to something like order the present chaotic state of local finance. The Government was fully alive to the importance of that matter.

ESTABLISHED CHURCH (IRELAND)—AMOUNT OF ENDOWMENTS.

QUESTION.

Sir STAFFORD NORTHCOTE said, he would beg to ask the right hon. Gentleman the First Lord of the Treasury, Whether he will be good enough to furnish the House with a statement of the property belonging to the Established Church in Ireland, with which the Government propose by their measures to deal?

Mr. GLADSTONE: Many of the figures relating to the subject are, in their present state, only matters of opinion; but I think it is our duty to give them, as the basis of facts, as far as we can supply them, in any matter that may be desirable, and we shall therefore be most happy to meet any inquiry which may tend to the production of facts. With regard, however, to those figures which are matters of computation, I would ask the House to take them as opinions only. As I believe that the figures, though not very numerous, which I gave this day week, were not quite accurately reported, and as the matter is one of importance and of great interest, perhaps the House will allow me to recapitulate them in order to avoid misunderstanding. The estimated amount of the property of the Irish Church, without reckoning anything either for the fabrics of glebe-houses and the fabrics and sites of churches, constitutes one point, the other being the estimated amount of charge under the provisions of the Bill as they stand. The figures, as I stated them, were as follows; but I will now add one or two more particulars for the sake of greater clearness. I estimated, on the part of the Government, that the probable proceeds of the tithe rent-charge—speaking in round numbers, as I shall do throughout—would be £9,000,000. The proceeds of the leased lands and perpetuity-rents, or the value of them, might, I said, be taken at £4,000,000. The value of the glebe lands and other lands, let out for short terms, would be not less than £1,500,000. The value of the lands in the occupation of ecclesiastics might be taken at £750,000; and the value of stocks, moneys, and other miscellaneous funds, not being tithe or land, also at £750,000. The total of these figures is £16,000,000. Then, with respect to the charge, it stands as follows:—The value of the life interests of all incumbents—that is to say, of bishops, dignitaries of cathedrals, and parochial clergy—will be £4,900,000. The value of the interests of the curates, as they are proposed to be taken, will be £800,000. The value of the lay compensations will be £600,000; the bulk of those lay compensations being to either officers of cathedrals, and to clerks and sextons of parishes who hold freeholds. The estimated value of advowsons is £300,000. The conjectural amount of private endowments is £500,000. The building charges, which can be computed with a certain degree of accuracy, and which must be paid in order to get possession of the glebe-houses, is

£250,000. The sums required to make good the provisions in respect of the various Presbyterian charges and Maynooth College, £1,100,000. The expenses of the Commission, with all its officers, for ten years, at £20,000 a year, will be £200,000. The total of these figures is £8,650,000, against the sum on the credit side of £16,000,000, leaving a difference of £7,350,000. But as, on the whole, I thought the results would come out rather better than worse under the provisions of the Bill, I took them at £16,000,000 as the whole—£8,500,000 for the amount of charge, and £7,500,000 for the amount of surplus.

THE INDIA CIVIL SERVICE EXAMINATION.—QUESTION.

SIR PATRICK O'BRIEN said, he would beg to ask the Under Secretary of State for India, Whether it is the fact that gentlemen have been recently selected for the office of Examiners at the India Civil Service Examination who were at the time private tutors in the Universities; and, whether it is the fact that the practice of selecting some of the Examiners from among the members of the Irish Universities has been of late years discontinued?

MR. GRANT DUFF: In reply to my hon. Friend, I have to say, that the Civil Service Commissioners rarely appoint as Examiners for the Civil Service of India gentlemen who are engaged in private tuition. To make, however, a rule of absolutely excluding gentlemen so engaged would be tantamount to refusing the assistance of some persons of exceptional efficiency. No one is ever knowingly appointed to examine his own pupils, and three appointments have been cancelled in the past year lest this untoward result should arise. No practice of selecting as Examiners members of Irish Universities as members of Irish Universities having ever prevailed, it cannot be said to have been discontinued. Such persons have often been appointed, and will, no doubt, often be again, because they were the best men available; not because they were Irish. It may console my hon. Friend to know that, in a list containing all the names of Examiners for the Indian Civil Service since 1858, I find seven connected with the Irish and only five connected with the Scotch Universities.

ASSESSED RATES BILL.—QUESTION.

MR. CHARLES FORSTER inquired, Whether the Government intend to move the second reading of this Bill on Thursday next?

MR. GOSCHEN, in reply, said, that it was not the intention of the Government to proceed with the Bill on that day, but at the earliest opportunity after the Easter Recess. The local authorities in many large towns took great interest in the measure, and, in accordance with their wish, expressed through their representatives, the Government had determined to postpone the second reading in order to allow them the opportunity of discussing the provisions of the Bill among themselves.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CONSTITUTION OF THE BOARD OF TREASURY.—QUESTION.

MR. SCLATER-BOOTH rose to call attention to the Treasury Minute of the 28th December, 1868, and to make further inquiry as to the constitution of the present Board of Treasury. The hon. Member said the House was aware that on the formation of the present Government certain important alterations were made in the constitution of the Board of Treasury as well as in that of the Board of Admiralty. His right hon. Friend opposite (Mr. Childers) had already made a clear statement in reply to an inquiry as to the changes which he had thought it his duty to make in the Board of Admiralty, and his only reason for now interposing was his anxiety to elicit from some member of the Board of Treasury a similar statement in reference to the changes which the Government had deemed it necessary to make in that Department. The Office of Lord High Treasurer had been in commission for more than 150 years. From time to time the commission had varied in numbers; but he need not enter into its past history, because the practice, with which all hon. Members were familiar, of appointing three Junior Lords under the First Lord and the Chancellor of the Exchequer was of comparatively recent date. The practice originated, he believed, with the recommendation of a Committee of that House which sat to inquire into miscellaneous expenditure in the year 1846, and which made a distinct recommendation to the effect that the number of Junior Lords should be reduced from four to three. That recommendation was followed, and from that time to the present there had been three Junior Lords. Now, if there were no other reason, he should say that the number having now been varied, contrary to the expressed opinion of a Committee of that House, it was essential that an explanation on the subject should be given by Her Majesty's Government, and the more so on account of the great importance attaching to one of the offices now newly created. He accordingly asked a Question of the Secretary to the Treasury in reference to this subject shortly after the opening of the present Session, and his hon. Friend immediately promised to lay on the table the Minute explaining the changes which had been made. He little thought, therefore, that it would be necessary for him again to trouble the House on the subject. But, in point of fact, the Minute which had been laid upon the table in compliance with his inquiry was so unsatisfactory and ambiguous that he deemed it his duty to re-open the question. The Minute had reference only to one out of the four subordinate officers of the Treasury, and even then did not convey any clear idea of the duties assigned to that officer. With the permission of the House, he would read one or two paragraphs from that Minute. It stated that Her Majesty's Government had

> "deemed it expedient to assign to the Third Lord of the Treasury, Mr. Stansfeld, certain duties, and the investigation and decision on certain subjects connected with the business of the Department, which will have the effect of placing him on a different footing from the Junior Lords; and, in consideration thereof, they recommend that there should be assigned to him a salary of £2,000 a year, and a Private Secretary, with a salary of £150 a year."

Now, he wanted to know what were the "certain duties" intrusted to the Third Lord, and what were the subjects in respect to which the House might regard him as a responsible Minister of the Crown. A newspaper statement had been made, apparently by authority, at the time of the formation of the Government, and to that statement he would refer in order to ask whether it were really intended to indicate the position of the Third Lord of the Treasury. *The Times* of the 10th of December last stated that the Third Lord

> "will undertake so much of the work of the First Lord as has hitherto been thrown on the Financial Secretary, and he will, in fact, represent the department of receipt, whereas the Financial Secretary represents that of expenditure."

His (Mr. Sclater-Booth's) term of Office at the Treasury was not, it was true, very protracted, but he confessed himself unable to understand what was meant by the "department of receipt." He had no desire, however, to prejudge the question, nor to deny that some redistribution of the work of the Financial Secretary might have become necessary, especially during a very laborious Session. He would merely remark that the necessity, however urgent, was less so at a time when the duties of the Leadership of the House were dissociated from the position of Chancellor of the Exchequer, as they had been during the last three years; and it was his own opinion that, if the Financial Secretary was to be the spokesman of the Board of Treasury in that House, he certainly should be acquainted with all the business that went on at the Treasury. He should have thought therefore that the Financial Secretary, rather than the Permanent Secretary, should have forwarded such heavy business as could not be dealt with by himself to the Chancellor of the Exchequer or to the Third Lord as the case might be. The Government appeared to attach much importance to the appointment of Third Lord, seeing that the salary of the office was £2,000 a year, and the holder of it obtained the rank of a Privy Councillor. It was but right, therefore, that the House should be informed of the reasons which had led to the change. The Minute said nothing whatever about the augmentation of the number of Junior Lords of the Treasury, but this matter was one with regard to which the public had not been left altogether in the dark, because the hon. and gallant Gentleman the Member for Truro (Captain Vivian), in addressing his constituents, subsequent to his acceptance of Office, told them very plainly what was to be the nature of the position which he was to occupy. The statements, however, which he on that occasion made were, in some respects, of so startling a character, that he felt induced to ask some higher authority at the Treasury whether they were to be accepted without qualification. The hon. and gallant Gentleman began by making some very unpleasant remarks as to the discharge of their duties by some of his predecessors in Office, whom he by implication described as drones; and against such a description he (Mr. Sclater-Booth), for one, must protest, for he was sure there were in the late Government no harder working men than his hon. Friends the Members for Bridgnorth (Mr. Noel) and Peeblesshire (Sir Graham Montgomery). The hon. and gallant Member for Truro, on the occasion to which he referred, went on to say—

> "The right hon. Gentleman at the head of the Government is determined to abolish these sinecure offices, and in their place to establish two of great importance, with very important duties. One of them is to be at the Treasury, and to have financial control over the Civil Service Estimates and general finance. . . . . To the other of these important offices Mr. Gladstone has suggested to Her Majesty to recommend me. The duties of that office are to supervise the whole finance of the army. I am to watch the Estimates, to watch the accounts, and to diminish both the one and the other if I can. In short, with my office and my staff at the War Office—

He might have said "my rod and my staff."—

> I am to be called the War Lord of the Treasury, and I am to exercise a general control over the financial administration of military affairs, subject, of course, to my Chief, who is the Secretary of State for War."

Now, he should like to know whether that statement contained a correct definition of the position which the hon. and gallant Gentleman was to occupy. If so, it appeared to him to place an absolute extinguisher on that important change which had lately been made at the War Office by the appointment of a Controller-in-Chief and his Assistant, by whose exertions, as the House was well aware, very great reductions had last year been effected in that Department. In the second place, the appointment, as described by the hon. and gallant Gentleman, added one more to the already somewhat large number of heads of departments in the War Office. The Secretary of State had an Under Secretary of State, a Military Under Secretary of State, and a Financial Under Secretary of State, and if in addition to those he was to be burdened with a Lord of the Treasury, he (Mr. Sclater-Booth) must say that, in his opinion, a confusion of that distinction which ought to prevail between two great Departments in the State must be the result. He wished, before he sat down, to say one word with regard to another appointment—that of a noble Marquess as one of the Treasury Commission. The statement which appeared in the papers at the time of the appointment of the noble Lord to whom he referred was to the following effect:—

> "The new Administration has hit on a patent process for the utilization of young Peers. The Marquess of Lansdowne, whose large fortune would prevent his accepting any small official berth with a salary attached, is to be made an extra Lord of the Treasury without salary."

Now, hon. Members, no doubt, remembered with great respect the services of the grandfather of the present Marquess of Lansdowne, and no one in that House would, he felt assured, venture to dispute the claims which that nobleman had upon his party. It was, however, a somewhat new doctrine that a noble Lord, who happened to be a man of very large fortune, was to be placed in a position of authority and responsibility without, at the same time, accepting the salary which usually attached to the performance of the duties of his office. He did not exactly know whether the grandfather of the noble Lord to whom he was referring received any salary when, without holding Office, he was a member of a Liberal Cabinet; but the precedent, at all events, was not one which could be urged in support of the present arrangement. The House had within a very short time expressed it to be its opinion that even in the Diplomatic service the anomaly of having unpaid attachés should be done away with, and it was not at all desirable, he thought, that the circumstances of the appointment to which he was calling attention, should pass unnoticed by the House; and he need hardly say, that neither in that case—the case of the right hon. Gentleman the Member for Halifax (the Third Lord of the Treasury)—nor the case of the hon. and gallant Member for Truro (Captain Vivian), whose talents he had often occasion to admire, had he any wish to disparage their fitness for the performance of the duties imposed upon them. His object in bringing the question forward was simply to get from the Government information on the subject of those appointments. As to the noble Marquess who had been appointed a Lord of the Treasury, he would only add that while he had no doubt he would make an excellent public servant, yet he should have thought that the office of private secretary to some great officer of State would have been a more appropriate channel of introduction to public life than that which he had received. Many gentlemen entering public life would, he felt, have some reason to be jealous at seeing a person appointed an officer of the Treasury without the salary which properly belonged to such an appointment because he happened to be a nobleman possessing a large fortune. In conclusion, he hoped he should receive from the Government satisfactory explanations on the subject.

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, the hon. Member for North Hampshire (Mr. Sclater-Booth) has only done his duty in calling the attention of the House to this subject, and thus affording the Government an opportunity of giving an explanation with respect to it which, it appears to me, can be very easily given, and which, I trust, he will regard as satisfactory. By what has been done a very considerable change has, there is no doubt, been made in the Board of Treasury. The House is aware that the Treasury is constituted under a Royal Commission to supply the place of a Lord High Treasurer, just as the Board of Admiralty supplies the place of a Lord High Admiral. There is no limitation whatsoever to the Prerogative of Her Majesty as to the number of Commissioners she may appoint, and there is no violation of any official or other rule in creating a larger number of Lords of the Treasury than it has been usual to appoint for some years past. The arrangement must stand or fall according to its effects as regards the expediting of Public Business. All, indeed, that is requisite is that the number of appointments should be in accordance with that which, in the judgment of the House, may be necessary for the efficiency of the Department. It cannot be said that there is anything either proper or improper in the number of officers beyond this, and there is no rule in the matter, except that a Committee of the House of Commons on a previous occasion recommended that the Lords of the Treasury should not exceed three. Now, the Junior Lords of the Treasury have—at all events—ever since I have been in Parliament, occupied a position which no one, I think, can regard as satisfactory. One of them has generally assisted the Patronage Secretary to discharge his duties in this House, and the other two did little except settle the superanuation allowances of clerks. But although those Lords had little to do, it seems to me to be impossible to deny—indeed, my hon. Friend who has just spoken has admitted—that the Department has been considerably overworked, and that the pressure of business has been too great, especially on the Secretary to the Treasury, who was expected to be constantly in this House, watching the conduct of a great mass of its business, and who was obliged to get through an immense amount of work in his department besides. The first object of the changes which have been made was to remedy that state of things, and the best way to effect that object was deemed to be this—to leave the Secretary of the Treasury in possession of the duties which he exercised in regard to this House, but to relieve him from a portion of the official labours through which he had to go, so as not to overload a single officer in a department where the business was sometimes very involved. The Third Lord of the Treasury was created with that view, and the business of the office has been divided entirely for the purposes of internal convenience, but the change made is tentative, and subject to alteration. In making that arrangement we allotted to each of these Gentlemen the duties which we thought best calculated to promote the efficiency of the Department. Very likely in many cases we have not made so good a division of the duties as future experience will enable us to make. At any rate, we have made the attempt, and it is not the only one that has been made, because in 1805 the Treasury became convinced of the evils which arose through the disappearance of the whole Board at every change of Government, and they appointed Mr. Harrison the first Permanent Secretary, dividing the business between him and the Parliamentary Secretary. That, as the House is aware, is the constitution of several great Departments of State. The Permanent Under Secretaries of the Colonies and the War Office have each stated parts of the business of their Departments, the remainder being done by the Parliamentary Under Secretary. The arrangement we are now discussing is an extension of that principle, and makes the constitution of the Treasury so far analogous to the office of a Secretary of State. As to the duties of the Third Lord of the Treasury, they are very important. He has a large portion of the business of the office to transact. If I were to describe it in general language, I should say that his duties rather tend towards those which are discharged by the Chancellor of the Exchequer, while the duties of the Secretary of the Treasury tend to those which have been ordinarily discharged by the Secretary of the Treasury. The division of duties may not be a logical or complete one, but that is the direction to which it points. For instance, to the Third Lord belongs the duty of looking after the revenue ; to the Secretary of the Treasury that of looking after the expenditure. That is the sort of idea upon which the present tentative division has been made. Then the third Lord has been and will be most useful and valuable to the Department in conducting those inquiries into the expenditure of other Departments of State which form so important a part of the duties of the Treasury. It has been the practice previously to appoint gentlemen at the head of large Departments at the Treasury to make these inquiries, together with the permanent officers of other Departments. That practice has not been, on the whole, beneficial to the public service—first, because those gentlemen, being permanent officials, did not always command the weight to which their abilities and knowledge might entitle them; and, in the second place, because they were already fully occupied. The time which they took in investigating the business of other Departments was too often subtracted from the necessary business of their own. It is a great advantage to have a Gentleman in the Treasury holding high Parliamentary position, and having the full confidence of the Government of the day, who will be able to serve in the conduct of such inquiries, giving the weight of his authority and official position to the Reports which may be made during these inquiries, without, at the same time, materially disarranging the business of the office to which he belongs. That is the best answer I can give to the Question which has been put as to the functions of my right hon. Friend the Third Lord of the Treasury. Well, then, I am asked whether a newspaper account of his duties is correct, which account, my hon. Friend (Mr. Sclater-Booth) says, appears to have an official origin. I should have thought that my hon. Friend's official experience would have shown him that it was not very likely that such a statement would come from the Treasury, when it stated that the Third Lord would discharge certain of the duties hitherto performed by the First Lord. As my hon. Friend knows, the First Lord of the Treasury, being at the head of the Government, does not take any part in the departmental business of the Treasury; nor was it likely that it would be stated on the part of the Treasury that the Third Lord was put there to watch over the receipts of the revenue, a duty which, of course, we know belongs to a different Department altogether. I hope, therefore, my hon. Friend will believe that statement was not inserted by the direction of the Lords of the Treasury, and I can assure him that it does not contain a correct statement of the duties of the Department, which are, as nearly as possible, what I have described them to be. Then I am asked as to the duties of my hon. Friend the Member for Truro (Captain Vivian), and am requested to explain what it was he thought necessary to address to his constituents on this subject. No doubt my hon. and gallant Friend the Member for Truro will, if he thinks necessary, explain that address. I think it would be a most evil practice to take upon ourselves the responsibility of each other's election speeches. All that I am answerable for is the actual duties intrusted to my hon. Friend. On the occasion referred to he described those duties perhaps a little emphatically, but in substance pretty correctly. My right hon. Friend the Secretary of State for War will, I am sure, fill that office very ably; but he has not been a man of war from his youth up, he was not born in camps and cradled in the field. It will be no derogation from him to say that he is not thoroughly versed in all the technicalities of the military art. It was necessary that the Under Secretary for War should be in the House of Lords, because the administration of the War Department is a subject in which the House of Lords, from the fact that it contains so many retired military officers, takes a keen interest. A great many of the questions connected with this Department are for this reason nowhere more keenly debated, and it was, therefore, necessary that some representative of the War Department should have a seat in the House of Lords, the presence there of the Commander-in-Chief making the necessity still greater. I do not understand that any one blames the arrangement, which indeed was the arrangement of the late Government, under which the Under Secretary for War is placed in the House of Lords. But then my right hon. Friend (Mr. Cardwell), from the little defects in his education to which I have referred, felt the want of a military assistant in this House. The Lords of the Treasury not having been overdone with work hitherto, we thought it a good arrangement that the hon. Member for Truro (Captain Vivian) should be associated with the Secretary for War, in order to give that technical assistance and advice which his great abilities enabled him to give in transacting the business of the Department in this House. Then, as to the remaining Lord of the Treasury, the Marquess of Lansdowne—it is hardly fair to represent his appointment as nearly equivalent to that of a private secretary. The Treasury has no representative in the House of Lords. Many questions, however, arise there which it is necessary that somebody should answer on behalf of the Department, and I hope no one will think we did wrong in endeavouring to establish a connection between the Department and the House of Lords by having a distinct representative there. The duty which the Marquess of Lansdowne specially discharges at the Treasury is that which was formerly discharged by the Lords of the Treasury—the arrangement of the superannuations that come before the Department. He has also been employed in several other matters, and has given real and very efficient and useful assistance to the Department. That fact I do not understand to be called in question, and nobody who knows my noble Friend would doubt it. What I understand to be complained of is, that we have appointed the Marquess of Lansdowne without giving him £1,000 a year. Well, in the first place, that is a fault very easily remedied. But, in the next place, I doubt whether it be a fault. There being such a pressing necessity for his appointment—the Lords of the Treasury being fully occupied in the public service: the Third Lord in discharging very important duties, the hon. Member for Truro in assisting the Secretary for War, and the hon. Member for Clackmannan (Mr. Adam) in assisting the Patronage Secretary for the Treasury—and the presence of a representative of the Department in the House of Lords being expedient, it did not appear to me that, considering the ample resources of my noble Friend, it was necessary to give him a salary, when he was willing, patriotically, to discharge the duties intrusted to him without a salary. Of course, this change in the Treasury—for it is a very considerable change—necessitated a change in the conduct of business in my office, because, when you have two Gentlemen performing duties there, a responsibility is thrown upon the head of the office quite different in its nature from that which will be thrown upon him if one person only be so engaged. It is his duty in that case to preserve a unity in the work of the office, for were there not one common centre it is quite possible that my two hon. Friends might, without intending it, diverge in their principles of action; the Department might hold different language upon matters brought under our cognizance there, and might adopt principles which could not be reconciled. It is only on this ground that I have undertaken rather more of the Treasury work—duties ordinarily discharged by the Secretary of the Treasury—than, perhaps, it has been usual for persons in my situation to undertake. I have done so very much with the view of maintaining uniformity in the decisions and conduct of the office. I have done so, also, for another reason—because the Government has come into Office pledged, if to anything, to economy. I am not so foolish or so vain as to suppose that I can discharge the business better than the two able Gentlemen by whom I have the honour to be assisted. But if you want to enforce economy, you must throw into the scale of financial retrenchment all the weight you can get; and high Office is a great element of strength and one which a Government anxious for economy ought not to neglect. It is a very different thing whether a recommendation comes from a Secretary, a Third Lord, or a Chancellor of the Exchequer. I therefore thought it my duty to throw my own personal exertions into the scale, so that the recommendations of the Treasury should have as much weight as it was in my power to give. That, I think, is a full answer to the Questions which have been asked. I hope what we have done will be found to work satisfactorily, and will also be found not to diverge from the principles on which public offices ought to be constituted. Whether the change works well or not, however, it has been made with the sole and single object of promoting public economy and departmental efficiency.

MR. HUNT: The House, I think, will agree with me that the subject brought under its notice by my hon. Friend (Mr. Sclater-Booth) is one of very considerable importance, and one quite worthy of being discussed by the House; and I cannot say that the explanations given by the right hon. Gentleman the Chancellor of the Exchequer are, to my mind, at all sufficient with regard, at least, to one of the changes made by the present Government. It will have been noticed by the House that, when the right hon. Gentleman came to discuss the expediency of the appointment of a Junior Lord of the Treasury without salary, he seemed to feel that he was getting into smooth water, and had to deal with a subject far less difficult than that of the appointment of the Third Lord of the Treasury. I confess that, after listening attentively to the right hon. Gentleman's explanation as to the respective duties of the First Lord of the Treasury and the Financial Secretary, I feel myself very little wiser than I was when he began. The right hon. Gentleman did not, I think, give us a very clear account of the particular duties assigned to those two functionaries. With regard to the Department of the Revenue, I should fancy that the duties connected with that particular Department would lie with the Chancellor of the Exchequer himself. I cannot, therefore, understand why the duties ascribed to the Third Lord of the Treasury should not be as well performed by the Chancellor of the Exchequer. The right hon. Gentleman, no doubt, truly states the case when he says that in increasing the number of the Junior Lords, nothing has been done contrary to law; but we must remember that the number of the Lords of the Treasury was fixed some years ago upon the recommendation of a Select Committee of this House. The salaries of those officials were also fixed. Since 1847, the number of Lords of the Treasury has been five, three being Junior Lords. Now, what I complain of is this—that an additional Junior Lord of the Treasury has been appointed by the present Government without any notice to Parliament, or statement of the reasons for such appointment. The real state of things, then, is this—a new office has been created in the Department of the Treasury second only to the First Lord in political rank, in salary, and in dignity. Though such a creation may not be altogether illegal, I think there can be no doubt that it is against the spirit of the Constitution that such a new office of this importance should be created by the Government by a stroke of the pen without any notice being given to Parliament or the country. The office that is really created is that of Chief Financial Secretary of the Treasury, and the post of Financial Secretary has been reduced to that of Assistant Financial Secretary. [MR. LOWE: No, no!] If the House will bear with me, I will endeavour, in a few words, to prove my statement. The information in respect to the office is very meagre, but the Minute states the intention to be that, under the instruction of the Chancellor of the Exchequer, the Permanent Under Secretary shall transmit to Mr. Stansfeld all Papers relating to certain subjects, to be transmitted by the latter from time to time to the Chancellor of the Exchequer, and that with respect to certain Minutes, the signature of Mr. Stansfeld shall be taken as the decision of the Board. You here state in effect that the act of a particular Member of the Board shall be the decision of the Board. I want to know then whether this new functionary is not really created the Chief Financial Secretary. I repeat that, by a mere stroke of the pen, a new office has been created without any communication being made to Parliament on the subject. Now, the year before last, the very contrary to this was done. There were two officers in the Board of Treasury with the same salary, and each a Member of the Privy Council. A Bill was brought in to abolish one of the offices, and to substitute that of Parliamentary Secretary in its stead. That arrangement was ultimately effected. In the present case, however, a new office has been created without any communication on the subject to Parliament. I think that this is a precedent which ought not to be followed. It may, no doubt, be said by the Government that the House of Commons will still have a voice in the matter, inasmuch as the House may object to the salary of this Third Lord when it comes before them in the Estimates. For one, I should be sorry to see the House of Commons placed in the position of discussing so important a matter at such a time. I confess, I should feel the greatest difficulty myself in expressing my opinion upon the question when it was presented to me in the shape of a particular Vote in the Estimates, because its consideration then must have a personal bearing, which I should be sorry to give it. I have not the slightest wish to disparage the merits of the right hon. Gentleman who has been so appointed. Indeed, I am certain that the right hon. Gentleman has every claim upon those with whom he is politically connected, and that his high honour and ability qualify him for one of the highest offices in the Government. I say, however, it is my opinion that there was no necessity for the appointment of a second Secretary of the Treasury of the same calibre as that of the Financial Secretary. The Government ought, at all events, to have shown us that the work of the Financial Secretary is too great to be discharged by one man, or by those who have hitherto filled the position of Junior Lords. The Minute of the appointment says nothing of the kind. I certainly should be surprised if such a representation had been made by the present Financial Secretary of the Treasury (Mr. Ayrton); for we all know how constant has been his attendance, and how indefatigable he was, when out of Office, in taking part in the discussion of every subject connected with the business of Government. Indeed, the hon. Gentleman has always shown himself to be a master of every subject which came under his notice. If I were asked to select a man who was thoroughly competent to discharge even two men's work, I should certainly be disposed to name the hon. Gentleman who now discharges with such efficiency the office of Financial Secretary. I have had some experience of the labours of Financial Secretary of the Treasury. When I was at the Treasury the question was mooted, whether a Lord of the Treasury ought not to be appointed to assist me in my duty. I, however, declined to receive such assistance, considering it wholly unnecessary. The duties of Secretary of the Treasury are much more considerable when the Chancellor of the Exchequer is also the Leader of the House; but the time chosen for creating this new office is one which connot offer even that as a reason for such an appointment. It seems to be a question whether the man was wanted for the place, or the place wanted for the man. I do not want to say anything personal, but we all know that it has been stated that the greatest difficulty in the way of forming the new Government was the immense number of claims for Office. Doubtless, the result of the General Election reduced that difficulty considerably, inasmuch as several right hon. Gentlemen of Liberal principles, who had previously filled high offices in the Government had failed to recommend themselves to the respective constituencies whom they wooed. I should wish, however, to know whether, if the number of claimants for Government appointments had been fewer, we should have heard of such an official as a Third Lord of the Treasury. I am inclined to think we should not. I do not see how the right hon. Gentleman opposite has made out any case for this new creation, nor for giving this Junior Lord double the salary of any of the other Junior Lords. If the Head of the Government and the Chancellor of the Exchequer had shown that it would conduce to the advantage and convenience of the Department to assign it to the three Junior Lords' duties, which would prevent their being drones and would make them working bees, I am sure we should never have heard this discussion; but they have thought proper to create what I say is a new office, and I think the House will watch rather jealously the creation of this new office by a stroke of the pen of the First Minister without some explanation of its necessity to the House. I now come to the duties of the War Lord of the Treasury, and

I confess that when I read the speech of my hon. and gallant Friend the Member for Truro (Captain Vivian), in the papers, I was a little startled to find from it that he was to control the whole military expenditure; because last year we had a discussion which resulted in the expression of opinion that military men were the most unfitted to control military expenditure, and the decision of the late Government was that it was highly expedient that the civilian element should be introduced into that Department, so that the military authorities at the War Office should not be left with the sole control of military expenditure. The Secretary to the Treasury and the Secretary for War under Lord Russell's Government were in the House at the time the discussion took place, and they approved of the view expressed by the Treasury; and I must say I am very much surprised now to find that the present Government have selected a military man to control military expenditure. The Chancellor of the Exchequer has told us that, although he cannot exactly answer for all the expressions used by the hon. and gallant Gentleman the Member for Truro (Captain Vivian), yet they must be taken as substantially correct, and if that be so I think they require a little more explanation than we have just had given to us. If the account given by the Chancellor of the Exchequer is correct, the hon. and gallant Gentleman's position appears to be that of a sort of military interpreter to the Secretary for War, to explain to him the meaning of military terms, and, when he makes official statements in this House on military matters, he will endeavour to keep him straight. My experience of the abilities of the Secretary of State for War leads me to suppose that he requires no such assistance, because I have confidence in my right hon. Friend that he is able perfectly to master military terms and matters without the assistance of an officer of the army. But supposing his modesty is such that he feels a diffidence with regard to these matters, and requires assistance, it seems to me that it is not to the Treasury he should go for assistance. It is the duty of the Treasury I take it to control public expenditure, and not to supply military interpreters to civilian Secretaries of State for War. But I want to know whether the War Lord of the Treasury is a member of the Board, and if he is to have a discretion with regard to military expenditure; because, if so, I should prefer that he did not go so often to the War Office. I understand he passes his departmental time at the War Office, and not at the Treasury. Now, I should much prefer that he should breathe the atmosphere of the Treasury than the atmosphere of the War Office, because those who are surrounded by military men are less likely to check military expenditure than those who pass their official hours at the Treasury, where the habit is to criticize and object to every item of expenditure that comes before them. The explanations then with regard to the Third Lord and the War Lord with which we have been favoured, in my opinion require supplementing. In neither instance do I exactly understand what their functions are. I now come to the Sixth Lord of the Treasury. Shortly after the Union with Ireland—in 1807, I believe—a sixth Lord was added to the Commission. Up to that time the number varied. For the most part there had been five, but from 1807 to 1847, there were six Lords, and the reason given for the appointment of the Sixth Lord was the increase of business in consequence of the Union with Ireland. But in 1846, as my hon. Friend has stated, a Committee, appointed by the House, investigated the miscellaneous expenditure; and having considered, in the first place, whether the salaries should be reduced, they recommended in their Report the reduction of the number of the Junior Lords to three rather than to continue the full number at reduced salaries. It is rather remarkable that the Sixth Lord at that time was the Earl of Shelburne, the father of the present Marquess of Lansdowne the present Sixth Lord of the Treasury. The Earl of Shelburne resigned his office, and it has never been filled up until this appointment of his son. The Chancellor of the Exchequer has treated, I think, rather lightly this appointment of rank and wealth to an office without salary. I think, however, the House will be of opinion that this is rather a grave matter: and the question is, are offices of State to be put up to a sort of Dutch auction, and disposed of, not to the best man for the position, but to the man who will take the office with the least pay, and if none, so much the better. That is a very serious matter. Not only is it serious to the country at large, but also to public men. It is, I think, a question for consideration whether such a course of procedure is quite just to public men. I do not wish to disparage the merits of the noble Marquess; I have not the honour of his acquaintance, and I have no doubt he ably performs his duties if he has any to discharge. But what I want to know is this—Would he have been placed in his present position without salary, but for the rank and wealth he enjoys? If not, I want to know, considering the competition—if I may say so—that exists amongst public men to attain official dignity, ought those who have adventitious advantages to be lighter weighted than those they compete with? I consider it is an honourable ambition for a man to wish to serve the Crown in high offices of State, and it is seldom that a man can do so without first beginning in the lower ranks, and a generous rivalry exists among competitors for these minor appointments. Nothing gives a man so great an advantage towards his being selected for high official position as two or three years experience in Office, and no one will deny that he is a much more competent man for Office than if without that experience. If you get young Peers to be utilized in this way you will give them that official experience which will enable them to distance all competitors when they seek higher offices. The right hon. Gentleman opposite (the Chancellor of the Exchequer) asks what objection we can raise to the appointment of a Sixth Lord of the Treasury if he has no salary? but I answer, will not the noble Lord who takes that place, without pay, have superior claims to the first vacant place with pay? In this country, where all public men, Peers or Commoners, should start on an equality, it is objectionable—certainly it is novel—to give either class an advantage by placing its members in high official position, even though they receive no salary for the duties they perform. Some explanation beyond what has already been given should be offered to the House for this novel proceeding. If work is to be done by a man, whether he be Prince, Peer, or peasant, he should receive a salary for it. The labourer is worthy of his hire, and if the noble Marquess has duties to do which occupy his time he should receive a salary. I make no apology for detaining the House, because, although the Navy Estimates are of great interest, the matter which my hon. Friend has brought before us is of considerable importance and ought to be discussed at an early period of the Session. The Chancellor of the Exchequer's explanation does not satisfy me that the changes which have been made in the constitution and functions of the Treasury—as far as I understand them—are justifiable, nor can I comprehend from the right hon. Gentleman's remarks in what manner the duties of the Treasury are divided among the Junior Lords.

Mr. CARDWELL: So much has been said respecting the alteration that has been made in the mode of conducting the business of the War Office that I should like to say a few words in answer to the right hon. Gentleman who has just spoken. When I first entered Parliament we had in this House, to take part in the debates on military matters, the Secretary of State for War and the Colonies, the Secretary at War, the Paymaster of the Forces, and two members of the Board of Ordnance; the Treasury was responsible for the Commissariat, the Home Office was responsible for the Militia, and there were no Volunteers. When I look at the Board of Admiralty I see that my right hon. Friend the First Lord of the Admiralty has associated with him no less than three Colleagues in this House; and, if my memory serves me, my noble Friend Lord Herbert, with all his great knowledge of the business of the War Department, urged upon the Committee presided over by Sir James Graham—and that Committee agreed with him—the great importance and necessity of providing additional assistance in the War Department. Moreover, when my right hon. Friend opposite (Sir John Pakington) vacated the office I now have the honour to hold, he expressed the opinion, which I am sure he sincerely felt, notwithstanding his competence to discharge the duties of the post, that his successor would be the better for some additional assistance in the House of Commons. When I found that my right hon. Friend at the head of the Government had submitted my name to the Queen for my present office, I took the liberty of saying I should want some professional assistance in giving satisfactory answers to the numerous questions that would be asked me in the course of discussions in this House. It was an old saying *Cucullus non facit monachum*, and a man putting on the wig and gown of a barrister does not necessarily become competent to give answers on all questions of law and equity. So a man does not become acquainted with all the difficult and complicated questions which military knowledge involves merely because his Sovereign has chosen him to fill the office that I now have the honour to hold; and I assure the House, with perfect frankness, that when my right hon. Friend the First Lord of the Treasury told me that he had submitted my name to Her Majesty's approval for the office of Secretary for War, I told him that what my predecessors had felt I felt in an increased degree, and I trusted that he would give me the assistance of an experienced military officer to aid me in taking part in the discussions in this House. I will not allude to the remarks made by my hon. and gallant Friend (Captain Vivian) to the electors of Truro; but this I will say, that I have felt the manner in which my hon. and gallant Friend has devoted his talents and his industry to the laborious duties of the office which he has accepted to be most useful. That is the arrangement which has been made, and no unconstitutional change has been introduced. My hon. Friend has not signed any letters or done anything that could be regarded as unconstitutional in one holding his position, but he does give me assistance which I greatly value in my endeavours to reduce our military expenditure. Then the right hon. Gentleman the late Chancellor of the Exchequer (Mr. Hunt) has said that it used to be the object to have civilians rather than military men employed in the War Office. But the right hon. Gentleman must have forgotten that upon the constitution of the late Government, a military Friend of mine, a man most competent to fill any office, was placed at the head of the War Department, and that the office of Under Secretary of State was also allotted to a military man. The late Government also made two other military appointments in the War Office, for which I fully admit they deserve great credit. I allude to the appointment of that distinguished man, Sir Henry Storks, and his Assistant, General Balfour. These were all military appointments and yet the right hon. Gentleman argues against military appointments. Now, what is the course taken by the present Government? They have placed a civilian at the head of the War Department and another civilian (Lord Northbrook) in the House of Lords, whose ability in the conduct of Business in this House is still fresh in the memory of hon. Members. That is the case with respect to the War Department, and I will venture to say that, from the experience and knowledge of my hon. and gallant Friend, the House of Commons will derive great advantage in the discussion of military affairs. I do not know that I am so competent to speak with regard to the duties of the Treasury. It is a long time since I had the honour of filling the office of Secretary of the Treasury; but this I know, that no one can have taken part in the discussions of this House, or in any Department of the State, without seeing the great labour that has been thrown of late years on the Secretary of the Treasury. During the short time when I held an office to which little labour was attached, my right hon. Friend who sits beside me (the First Lord of the Treasury) used frequently to appeal to me to take the Treasury business and to manage it before Committees of this House, when it would have been more appropriately conducted by some member of the Treasury; and I am inclined, from my own experience, to affirm strongly that the Treasury did require additional force in order to exercise in this House a more complete and adequate control over the expenditure of the country. As for my right hon. Friend the Third Lord of the Treasury, I am sure that every one who knows him will admit that there was no man whose services it was more desirable to enlist on the side of economy. Then, fault has been found with the appointment of a noble Marquess (the Marquess of Lansdowne) who represents the Treasury in the House of Lords. What is the fault? Is it that the Treasury should be represented in the House of Lords by a competent person, or that he should be appointed without salary? But if he had been appointed with a salary, it would have been in direct violation of the last Report of the last Committee that had inquired into the subject. Therefore, if the appointment was right it was more respectful to the House, and more in accordance with the precedents which we are desirous to follow, that we should have made the appointment without salary than with it. I hope the House will see from this explanation that the object of the Government was to promote retrenchment and economy, and to do so in the manner which seemed to them best calculated to carry the wishes of the House into effect.

Motion, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—NAVY ESTIMATES.

SUPPLY—*Considered* in Committee.

(In the Committee.)

(1.) 63,300 Men and Boys.

MR. CHILDERS said: Mr. Dodson, in the Speech from the Throne, which was communicated to this House, Her Majesty stated that the Estimates which would be submitted for our consideration would provide for the efficiency of the Service, but at the same time would be reduced in amount, and it is my duty on the present occasion, in moving the first Vote of the Navy Estimates, to explain the manner in which the pledge so given has been and will be fulfilled, and to ask the Committee to pass Estimates for the Naval Service, which I hope to be able to show will fully maintain its efficiency, and at the same time be considerably less in amount than those which were laid before Parliament during the last two years. Sir, I appear, of course, at a disadvantage in having to give full details as to these Estimates—first, because I had, with my Colleagues, not more than eight weeks to prepare them; and, secondly, because I have the honour to follow in office my right hon. Friend the Member for Tyrone (Mr. Corry), who, probably more than any civilian in this, or I might almost say in any, country, is well versed in all the details of naval affairs, and whose explanations on former occasions have always been marked with so much ability, and received with so much satisfaction by both sides of the House. But although many hon. Members may find in points of detail that I shall not be able to give them such clear and exact information as greater experience would enable me to do, the Estimates themselves and the statements with which I propose to support them will indicate a clear policy on the part of her Majesty's Government in dealing with these great Services, a policy which I trust the House, and I feel confident the country, anxious as it is for economy, will be prepared to endorse. In the first place, I will state to the House briefly what are the facts and the figures of the present Estimates compared with those of former years. The Estimates provide for the Effective Service of the Navy, for the Non-effective Service of the Navy, and for the Transport Service which the Navy conducts for the Army. For the Effective Service we ask a sum of £8,164,768, for the Non-effective service £1,515,525—total for the Navy proper £9,680,293, and for the Army Service £316,348, or in all £9,996,641. From that we must deduct the contribution of £70,000, which will be paid by India towards the expense of her naval protection, and the net amount which the country will be called upon to pay for the Naval Service will therefore be £9,926,641. The Estimates of last year, after making allowance for a change in the manner of account, gave for the Effective Service £9,332,579, or, making the Indian deduction, a net amount of £9,146,316; for the Non-effective Service £1,474,111, or a total for these two Services of £10,620,427. The Estimate for Transport Service, in the same way, after deducting £17,029 for a change in the manner of account, provided £333,571, or a total of £10,953,998. Taking the comparison on this basis, the difference between this year's Estimates and those of last year shows a reduction in the present year of £1,027,357. But it has been customary to state the Estimates in a slightly different form, and I will follow those who have done so in previous years, although I do not think that that is the best form. I will allow as against the expenditure the income connected with the Naval Service which will be paid into the Exchequer arising from the sale of old stores, ships, and other matters. Well, making allowance for them, we propose to spend £9,996,641, and estimate to receive £396,623, so that the net charge upon the country from the Chancellor of the Exchequer's point of view would be £9,600,018. Last year my right hon. Friend (Mr. Corry) proposed to spend £11,177,290, and estimated to receive £443,292; the net amount being £10,733,998, or £1,133,980 more than our Estimate. And going back to the year before I find that the actual charge in 1867-8 was £11,342,798, not including the expenditure on account of the Abyssinian Expedition, whereas our Estimate is £9,996,641, the difference in our favour being £1,346,157; and if the extra receipts be deducted on both sides, as we estimate for 1869-70, and as they were actually received in 1867-8, we have almost the same result—namely, a difference in our favour of £1,368,856. Sir, I think, after stating these figures, I may say to the House, in general terms, that the present Estimates show a reduction upon those of the current year, 1868-9, of about £1,100,000, and upon the expenditure of the previous year of about £1,300,000; and this reduction of expenditure is pretty fairly distributed all through the Votes. I do not think that in any of the Effective Votes is there any excess at all proposed in the Estimates of the current year, excepting only in one of the Medical Votes, where the excess is occasioned by the rather large additional charge which it is proposed should be borne by the country in connection with the Contagious Diseases Act. There is, however, a slight increase in the non-effective charge of the moderate amount of about £40,000 or £50,000. Then with respect to the construction of the Estimates I may be allowed to say that I think it is satisfactory that we have reverted this year to the form of Estimate which was in use before last year. I suspect that my right hon. Friend opposite (Mr. Corry) entirely agrees with me in thinking that nothing could be more inconvenient than the arrangement of last year, which showed the Navy Estimates in a different form from the Army Estimates. I am glad to say that I have been able to induce the Treasury to revert to the former plan, which gives to Parliament a real, and not an imaginary statement of the charge for the Navy. The difference is mainly this, that instead of swelling the Estimates by including in them provision for stores supplied, and work done for other Departments or Governments, because the payments pass through our books, and making all extra receipts in the shape of repayments by these Governments and Departments go into the Exchequer, we ask for the amount that will really be required for the naval service, and that alone. And that is not only convenient as a matter of account, but also advantageous in the interests of economy, because I believe that when, merely as a question of account, you have two alternative methods of estimate you ought to choose the one that gives you the smallest Vote. You may be perfectly certain that if you grant the larger sum the departmental tendency will be to spend it; but you have not the same security that the extra receipt will be obtained. Therefore I hold, and have held in previous years, and in the Committee on Public Accounts, that the better plan is to estimate for the smaller rather than for the larger amount. There is another change in the construction of the Estimates that I think will also be of public advantage. It has been customary to show in connection with the naval establishments on shore only those salaries which are directly charged on the establishments, but to omit from these Votes what may be very considerable amounts in the shape of pay and allowances, the officers being held to be borne on ship's books, and therefore paid under the Vote for the Fleet—that is Vote 1. In regard to the present Estimates, there was not time for me so to re-cast them as to make all these transfers; but I have been careful throughout the Estimates to show in connection with every establishment not only those officers who, as in previous years, were charged on the Vote, but also the number of those other officers supposed to be officers of ships, and borne on the ship's books. There are also one or two trifling changes in the construction of the Estimates which I have made in consequence of the inquiry conducted by the hon. Member for Lincoln's (Mr. Seely's) Committee of last year. It is very important in connection with the dockyards that we should, as far as possible, provide in the Dockyard Vote only for the charges which actually belong to the dockyard; and, on the other hand, that we should enter as dockyard charges those that were previously contained in other Votes, but which should really be included in the Vote for the Dockyards. As an instance of the former, I may refer to the cost of the Water Police which now appears as a distinct item of Vote 14, instead of in the Dockyard Vote 6. These are the principal changes in the arrangement of the Estimates, all of which, especially those which tend to economy, I hope the House will approve. The effect of these changes upon the comparison between the Estimate of last year and the Estimate of this year is as follows:—Apparently, according to the printed Estimates, we have made a reduction in the Wages Vote of £274,000; but from that sum must be deducted £75,000 in connection with troop-ships transferred to Vote 17, so that the real difference between the Vote of last year and that of this year is only £199,000. In the same way, with respect to the second Vote—for Victuals and Clothing, apparently, on the face of the Estimate, there is a reduction of £163,000; but that reduction must be diminished by extra receipts amounting to £90,500, so that the real reduction is £73,000. So, also, in connection with the dockyards, there is apparently a reduction of £137,000, but the real reduction is £127,000. Again, in the case of Naval Stores, the reduction is apparently £91,000; but the extra receipts connected with those stores are £34,000, so that the real reduction is only £57,000. Then in the Vote for ships building by contract, there is an apparent reduction of £325,000; but to this must be added a sum of £6,000, transferred from the Dockyard Vote, for salaries and expenses of dockyard officers connected with contracts; so that the real reduction is £331,000. Again, in the Transport Vote there is an apparent saving of £34,000; but the actual reduction, after allowing for transfers is only £21,000. These corrections being made give the result, which I have stated before—namely, an actual diminution of charge of £957,000, as shown on the face of the Estimates, or—allowing for the Indian contribution—of £1,027,000.

And now I pass from the very dry region of figures to the main questions affecting these Estimates—the three great subjects with which the Admiralty have been engaged, the results of which are shown on the face of the Estimates, and which I shall do my best to explain fully to the House. The first of those subjects is the reform in the organization of the Board and the subordinate departments of the Admiralty affecting all the Votes for Naval Establishments. The second is, the policy of the Government in relation to our fleets and our men; and the third is our policy in relation to the dockyards and to ship-building. These are the three great questions of interest with which the Navy and the Admiralty are concerned; and, as to each of them, I will, as briefly as possible, state to the House what our views are and what is the policy that we are anxious to pursue. The first point—namely, with respect to the organization of the Admiralty and its establishments—naturally divides itself into two; one, the question concerning the governing body of the Admiralty—as to which it has been my duty to give some information to the House in reply to a Question from the hon. and gallant Member for Portsmouth (Sir James Elphinstone)—the other the general reduction in the naval establishments both in London and in the country, which we have attempted to make by concentrating offices and diminishing routine. With regard to the first of those two questions, that relating to the governing body of the Admiralty, the House, or those hon. Members who have attended the debates on the subject of late years—who, I regret to say, are not so numerous as they were formerly—must be aware that a controversy of very great importance has been going on, and had not, until a short time since, received a solution. That controversy, I think, may be said to have begun with the Report of the Commission which, in the year 1860, was appointed to inquire into the management of the dockyards. When I say it begun then, I do not mean to deny that the organization of the Admiralty had been called in question much further back than that; but the first time at which that subject was fairly grappled with since 1832, at the hands of a public body, was in the years 1860-1, when the Commission, on which the hon. Member for Glasgow (Mr. Dalglish) sat, made a most able and exhaustive Report on the whole question of dockyard management. It was referred to that Commission to consider the control and management of the dockyards, the purchase of materials and stores, and the cost of building, repairing, altering, fitting, and re-fitting ships; and they reported that the control and management of the dockyards were inefficient. They gave as causes of this—first, the constitution of the Board of Admiralty; second, the defective organization of the subordinate departments; and third, the want of clear and well-defined responsibility; and they proposed to cure those evils—by making the Minister entirely responsible for the control and management of the dockyards; by authorizing him to appoint a Controller General subordinate to him; by making the superintendents of the dockyards instruments for carrying out the Controller General's instructions; by putting under the Controller General the Storekeeper General and the Director of Works and by requiring the Accountant General, although not his subordinate to prepare such accounts as he wanted, The Commission, having made these recommendations, reported on the 11th of March, 1861, and on the 12th of March, 1861, the following day, by a curious coincidence, a Committee of the House of Commons was appointed which went into the whole constitution of the Board of Admiralty and of naval control, not only with respect to the organization of the dockyards and their superintendence, but also as to all other matters, such as the control of the fleets and the government of the Navy, with which, as well as the management of the dockyards, the Admiralty are concerned. And before that Committee also the controversy raged as to what ought to be the constitution of the governing body, whether, preserving their general character, in any minor respects the present arrangements might be reformed, and generally how the defects in the Admiralty superintendence might be most conveniently remedied. Unfortunately the Committee which had to deal with so important a question made no Report of its own, but merely reported to the House the evidence it had taken, the result being that those who wished to ascertain the opinions of the Members of that Committee must wade through a large mass of testimony, and endeavour to gather those opinions from the questions put to the witnesses. I think there can be no doubt that the tendency of the Committee and the weight of the evidence adduced was adverse to the first proposal of the Commission—namely, for the abolition of the Board of Admiralty and the appointment of a distinct Minister. I find that the Duke of Somerset, Sir James Graham, Sir Charles Wood, Sir Francis Baring, who had all been First Lords of the Admiralty, and Sir George Seymour, Admiral Bowles, and Sir Maurice Berkeley, who had been First Sea Lords, united in giving a very strong opinion in favour of the existence of a Board; while, on the other hand, my right hon. Friend the Member for Droitwich (Sir John Pakington), who had been a First Lord, and Sir Thomas Cochrane, Admiral Elliott, and, I think, Admiral Denman, were the only witnesses who objected in general to the constitution of the Board of Admiralty and would substitute a Minister. I have said that as the Committee made no Report, one can only gather the views entertained by the Members from the questions they put to the witnesses, and that I need hardly add is not a very satisfactory way of eliciting an opinion on so important a question. I think, however, that, upon the whole, the questions and answers tended to three conclusions, although I would not state them very positively. The first was that, so far as the management and discipline of the fleet were concerned, the arrangements of the Board were not unsatisfactory. Secondly, as far as the dockyards were concerned, I do not think the Committee would have differed from the Commission. On a third point, it struck me that the evidence was all one way—that the functions of the First Sea Lord were excessive, too much work being thrown upon him. The result of the debates in this House appears to me to have been the same. My hon. Friend the Member for Lincoln (Mr. Seely) has raised on more than one occasion a debate as to the administration of the Board of Admiralty, and I think he hit some blots as regards the management of the dockyards, but he brought no evidence to prove the Board of Admiralty to be an inefficient body as far as other functions are concerned. But this question of Admiralty administration was most fully inquired into last Session. My hon. Friend the Member for Lincoln moved for the appointment of a Committee, of which I had the honour of being a Member, and that Committee went into two most important questions. The first was that of the Admiralty Accounts, and on this head the Committee was practically unanimous. The other was the question of the application by the Admiralty of its funds, and the Committee sat until so late a period of the Session that, after the reception of two Reports—one from its Chairman and one from my hon. Friends who then represented the Admiralty—the Committee despaired of going further, and simply reported the evidence to the House. But no impartial person—and I hope I was such—attending the Committee could but feel that great faults in the system of management at the Admiralty had been exposed. Under these circumstances, was it not the duty of Her Majesty's Government on its formation to take up this question of Admiralty re-organization? We have arrived, then, at the conclusion that, if we had on the evidence before us clear views on this question, Parliament would expect us to act on them, and establish a better system of administration; and it is that system which I am now going to explain to the House. The arrangements under which the Admiralty business has hitherto been conducted may be stated, in brief, to be these. The Board consisted of a First Lord, a Member of the Cabinet, who might or might not be a naval man. To him there were attached four naval officers, as naval members of the Board, and one civilian; and the Board so constituted had, of course, permanent officers directed by a Secretary, who might or might not be a naval man, and also a Parliamentary Secretary, who, if the Minister were a Member of the House of Lords, represented the Department in this House. That Parliamentary Secretary was sometimes a naval man and sometimes not, and there has been a marvellous amount of controversy as to his exact position — whether he was really the second officer of the Department or merely a subordinate, who registered the decisions of the Members of the Board. However that may be, there can be no doubt that the administration of the Board of Admiralty was practically in the hands of four or five distinguished naval officers, presided over by the Minister; those naval officers dividing the departmental business among them, and approaching to the action of a Committee, advising and carrying out the administration of the Admiralty under the First Lord. Now, I do not think that the administration was satisfactory so far as regards those great public establishments—the dockyards. The practical superintendence of them was divided between three Lords of the Admiralty—the First Naval Lord, the Store Lord, and the Civil Lord, and under such arrangement it is hopeless to expect distinct sufficient responsibility. But I see no reason to doubt that the administration of the Board of Admiralty was in other respects satisfactory, and I believe that there is no occasion to alter it so far as the superintendence of the fleet and all questions connected with men and patronage are concerned. For this part of the administration there is no occasion to substitute for the action of the Board the action of a Lord High Admiral or of a Secretary of State; and I would venture to add that, even if it were convenient, for other reasons, to create a naval Secretary of State, there is one objection to it which in my mind would be overwhelming. I am not going into the delicate question of the relations between the War Office and the Horse Guards; but no one who has watched the former or recent interpellations and debates in this House on this subject would wish to add this difficulty to other naval problems. Under all the circumstances, it has appeared to me desirable to carry out the recommendation of the Commission of 1860-1 with regard to the dockyards, without disturbing in other respects the constitution of the Board of Admiralty. The evidence taken before the Commission and the Committees pointed to one great change. The Controller of the Navy, who was popularly looked upon as the manager of the dockyards, was not a Member of the Board, and, moreover, he was subject to a subordinate Member of the Board, the First Sea Lord. There was thus a confusion of responsibility, and at the same time it was clear that the First Sea Lord was over-worked. We have therefore determined to relieve the First Sea Lord of all business in connection with the dockyards, to abolish the office of Store Lord, and to bring the Controller of the Navy to the Board, putting him in charge of all the *matériel* departments connected with the building, repairing, and fitting-out of our ships. No change has been made as to the fleet and men, who will be, as heretofore, under the superintendence of the First Sea Lord, nor will any change be made as respects the patronage or the discipline of the Navy, the division of which will be preserved. And on this point I may add that it is my intention to act as fully as any of my predecessors in consultation and harmony with my naval advisers. In a word, the new division of business is that, under my superintendence, the First Sea Lord will take charge of all the business connected with the *personnel* of the Navy, while the Controller will take charge of all the business connected with the *matériel* of the Navy, the dockyards, and the purchase of stores. These great officers will be directly responsible to myself without the intervention of any Board or Committee. There is, however, one other point in connection with Admiralty management in regard to which I thought a great improvement could be effected. A great defect of the former system was the absence of sufficient financial control over the expenditure. For a short time, indeed, when I had the honour of being a Lord of the Admiralty in 1865, this deficiency was so much felt that for some months I was called by the title of Financial Lord, and was placed in a position to do some good in respect of dockyard and other expenditure. But that system was only a partial and temporary system, and I did not find it in force when I returned to the Admiralty two months ago. The arrangement I have made in this respect is that my hon. Friend the Member for Montrose is called Financial Secretary, and all matters connected with expenditure, whether in the fleet or in the dockyards, whether relating to men or ships or stores, come under his review in conjunction with the administrative officer who takes charge of the business. The greatest possible practical benefit has resulted, and I expect will result, from that division of labour, not only as regards the efficiency, but also the economy of the service. I may, perhaps, be allowed, in passing, to allude to a Question which my hon. and gallant Friend the Member for Portsmouth (Sir James Elphinstone), said he would ask a few nights ago, but which, however, he did not put. The question is whether the arrangements which I have made, and to which I have just called attention, are in accordance with the words of the Admiralty Patent. I have heard whispers of such a doubt being entertained, but I thought them entirely dissipated by the evidence taken before the Select Committee of 1861. I have looked, however, at the Patent itself, and I am bound to say that it is a very antiquated and venerable instrument, using terms in vogue many years ago, as to naval matters, enumerating a good many colonies and omitting a good many others, in language to which we are not accustomed in the present day; but the only enacting part of it is this, that everything may be done by the Board of Admiralty, and that two Lords must sign certain orders. The arrangement of business in the Department itself is a matter for those who form the Board. I have to assure my hon. and gallant Friend that I have done nothing which I do not believe to be entirely consistent with the words of the Patent; but I may add that when the Admiralty was formed every member of it accepted Office on the condition of carrying out the plan which I have described to the House, and that these arrangements were embodied formally in a communication to the Treasury, which formed the basis of an Order in Council. If it should be necessary to issue a new Patent, and I have anything to do with the construction of that new Patent, I think it will be well to word it in modern language, and that, in terms as well as in effect, there may be no doubt about its being consistent with the arrangements which we have made. In the meantime I can assure my hon. and gallant Friend that we have been acting—and we shall act—in strict accordance with the law. I will now, with the permission of the House, refer to one or two other reforms in immediate connection with the superintending department. I may say, in the first place, that we are carrying out, and that we hope to carry out fully, an arrangement which has been anxiously looked forward to by all those who take an interest in Admiralty administration. That arrangement consists in getting rid of the division between Whitehall and Somerset House. Everyone must be aware of the inconvenience which results from having one set of offices out of the Strand—a thoroughfare constantly blocked up—and another set a mile off—in Whitehall and Spring Gardens. By amalgamating departments, by reductions in the number of clerks and by giving up three official houses, we shall, I think, be able to bring all those divisions of the Admiralty whose functions are administrative, to Whitehall. It will not be necessary to transfer some parts of the Accountant General's office, the gentlemen in which are employed in the examination of ship's accounts, but we hope to bring to Whitehall all that portion of the Admiralty establishment to which constant reference has to be made. Great advantage will, in my opinion, result from that change. Not only will the control be better when the various offices are brought more together, but we shall be able to dispense with a mass of double work of which the Committee have, in all probability, no conception. I have been very inquisitive on this question of double work with some curious results. For instance, I found that two departments were preparing precisely the same books from precisely the same documents, in precisely the same form, and that neither department knew that the other was so employed. I will not mention the names of the departments, as this is now at an end, but the fact was so. That was the result of the division which existed between Whitehall and Somerset House, and the amount of letter writing and references which will be avoided by bringing them together will be very great; nor will the advantage consist merely in effecting a small economy in expenditure, but in increasing the efficiency of the service. The result of the arrangements which we have already made in this respect has been, as I stated the other day, to accomplish a saving of something more than £5,000 a year in the cost of superintendence, and £14,000 a year in clerical work in London. I gave the figures then, and will not weary the House by repeating them. The Committee will not expect that an operation of this kind can be other than tedious and gradual. It is still going on; but I think I am in a position to say that the whole economy we shall be able to effect in the official establishments in London, including Whitehall and Somerset House, will be not less than £20,000 a year; and as I have been accused, on the one hand, of cheeseparing, and on the other of effecting over-great reductions, I should like, with the permission of the Committee, to state a few facts which may serve as a guide to them in arriving at a decision as to whether I was right or not in taking up this question of economy in these great establishments. I find that in 1849, that is, in the year after the last extensive revision of the Public Departments, there were 260 clerks, including assistant clerks and writers in the Admiralty offices in London, whose salaries were £68,320. In 1859 the number of clerks had increased to 315, and their salaries to £84,209. The number of clerks stood in the beginning of the present year, shortly after I took Office, at 445, and their salaries amounted to £123,196 a year; that is to say, the number of clerks increased between 1849 and 1869 by 185, and their salaries by £55,000; so that the reduction I have proposed of £20,000 only diminishes that increase by about one-third. I hope the Committee will believe me when I say that with me that nothing could go more against the grain than being concerned in operations of this kind. Few things can be more personally disagreeable than cutting down the numbers of public officers, many of whom are in the same station of life as oneself, exposing oneself by so doing to all those imputations of cruelty, and of making wilful and perverse changes, which must be most painful to any man of feeling. But I can say that, since I took this task in hand, I have endeavoured to perform it, as far as I could do so consistently with my public duty, with as little hardship to individuals as possible; nor do I believe that, up to the present moment, injustice has been done to any one in effecting these reductions. The course which we pursued was this. When we found what a particular department consisted of, and what it ought to consist of, we considered how the reductions could be made in the *personnel* of that department. We then gave all the gentlemen interested notice that they were liable to be removed. In the case of two departments notice was given in January that a reduction would take place on the 1st of April. I then appointed a Committee consisting of persons who were not permanent officers of the department, two of whom were outside the department altogether, and certainly who could not be accused of any personal feeling or bias, and who were to go very narrowly into those proposed reductions, and to endeavour to carry them out with the least possible injury to individuals—laying down the rule, which was authorized by the Treasury, that for the purpose of these reductions the whole of the Admiralty services should be treated as one, so that officers might be retired from any part of the departments, instead of necessarily from the particular office which was being subjected to a large reduction. That Committee was appointed at the beginning of last month. My hon. Friend the Member for Montrose (Mr. Baxter) is one of its Members, as well as Lord Camperdown and Mr. Anderson, the Assistant Controller and Auditor who, as the Committee well know, is one of the most efficient of all our public servants. The inquiry under these auspices has been, and will be, conducted most fairly, and my hon. Friend the Member for Montrose authorizes me to say that they already see their way to carrying out the proposed reductions, with the smallest possible amount of injury to those employed in the public service who do not wish to leave it. As I have stated before, I have given up in these matters my own patronage altogether. All those gentlemen who will be reduced will be placed on the redundant list, and if there is any efficient person on that list who is fit for an appointment in the Admiralty henceforward he will be appointed to it if it becomes vacant during my tenure of Office. I do not believe I can do more than that. Such is the painful task I have undertaken, and which I intend to persevere in. And I will only appeal to the House, while believing that we will do what is fair to individuals, to give us time to carry out the plan in the most efficient way. I have stated in general terms the alterations we propose to make with respect to the officers of the Admiralty; and there is one of those departments as to which I may appeal to the House not to press us too rapidly—I mean that connected with the purchase of naval stores. I have already stated that our desire is to carry out the recommendation of the Commission of 1861 with regard to the Storekeeper General's Department, and to place the whole arrangement of our naval stores and contracts on a thoroughly efficient and business footing. On this subject I never shall forget what the late Mr. Cobden said in I think his last speech; when speaking from the seat now occupied by the hon. Member for Stockport (Mr. J. B. Smith) he appealed to the Admiralty to improve the arrangements for the purchase of stores. He said what was wanted was not so much a contracting, as a buying department, and he asked us to make our purchases in the same way as any private firm or individual. My hon. Friend the Member for Montrose (Mr. Baxter) has that subject in hand, and he is perfectly capable of dealing with it. I have no doubt we shall be able to carry out greatly improved arrangements; and I would again only appeal to the House—knowing what they do of the burdens of the Admiralty—to give us a little time, in order that we may thoroughly mature our plans.

I now come to the other establishments of the Admiralty—I mean those not in London—as to which we wish, as far as possible, to obtain more efficient management. The most important of these are the dockyards. We have not yet had time to look through the administration of the dockyards in detail, but we have been able to effect some minor reforms, which any one who looks into the Estimates will notice. One is, greater unity of management. We propose to make some such arragement at each dockyard as has been carried out in the office of the Controller of the Navy. As, instead of making the Constructor of the Navy, and the head of the Steam Department two co-ordinate authorities, we have amalgamated them with assistants for the different branches of their business; so we propose at the dockyards to combine the office of Master Shipwright with that of Chief Engineer, creating thus a civil manager for the whole business. That has already been done both at Portsmouth and Chatham, and I have not the least doubt the arrangement will be attended with success. Again, with respect to a subject brought forward on more than one occasion by my hon. Friend the Member for Lincoln (Mr. Seely), and upon which I believe he once divided the House—namely, as to the permanence or non-permanence of the dockyard superintendents, we propose to appoint our superintendents with a view to keeping them at the dockyard as long as we think fit; so that when we have got a good man of business we shall be able to retain him whether his term of office has expired, or he has risen to higher naval rank. Hon. Members will also, I think, observe with satisfaction that we have decidedly improved the proportion between the salaried establishments and the labour in the dockyards. I omit all reference to Deptford and Woolwich, which we do not propose to continue—[Mr. Corry: We discontinued Deptford]—but we have been able to make reductions in the cost of superintendence at Chatham, Portsmouth, Devonport, and Pembroke, from £95,121 to £86,197, although the wages in 1868-9 were £643,240, while in 1869-70 they will be £677,622. We have therefore succeeded in reducing the cost of superintendence by £9,000 a year, while we have increased the wages by £34,000 a year. The percentage of salaries to wages in 1868-9 was 14·79, and in 1869-70 it is 12·72. I now come to the question of the concentration of the dockyards. My right hon. Friend has said that the Government determined last year to close Deptford as a dockyard, and we have carried out his intention. After some consideration we have thought it desirable—as there must be a storeyard on the Thames—that Deptford should be retained for that purpose, and in our Estimates provision is made accordingly. With respect also to Woolwich we came to the conclusion—in the case of that large establishment, it was a very painful conclusion—that Woolwich ought to have notice that it would be closed, and we have determined to close it on the 1st of October next. It was very painful to have to deal with the interests of so large a number of men, and also with the interests of so large a town more or less affected by the withdrawal of that establishment. But there the question we had to ask ourselves, was—and I apprehend the Committee will agree with me, that there is only one reason that would justify us in maintaining any particular establishment—Is Woolwich Dockyard required or not? And the only answer I could give, after very careful inquiry, was that it was not required, looking to the programme of work to be undertaken. I wish to be very precise on one matter connected with this decision. I know there is an idea afloat—and a very natural one—that we have not given to those interested fair and reasonable notice. Now the notice itself was given in the early part of January, and therefore extended to nine months; but in reality all parties concerned have known well what was coming so far back as 1864, for we are only carrying out the policy at that time unanimously adopted by the Committee to whom the great works of dockyard extension were referred, and on whose Report the House acted. That was no mere casual Report. The policy which that Committee recommended is that under which we have embarked on very great works at Portsmouth and Chatham, and the expenditure on those great works is regulated; and the adoption of the recommendations of that Report constitutes undoubted notice to all concerned. The proposal as to Woolwich Dockyard was made in these terms—

> "In recommending projects which will, if carried out, involve a large additional expenditure, your Committee do not think it beyond their duty to suggest that it is worthy of consideration whether Deptford, Woolwich, and Pembroke Dockyards might not be suppressed altogether and disposed of, and the business now carried on in them transferred to the yards to which such important and costly additions are in progress or in prospect."

It has been stated that this recommendation was not unanimous; but as to Woolwich this is an error. There was a division on the question whether the names of the dockyards should be recited, or whether the terms should be "some of the minor dockyards;" but it was decided by a majority of 8 to 5 that the particular dockyards should be named. Thereafter came distinct Motions as to these particular yards. Deptford was inserted unanimously; and Woolwich was inserted unanimously. The only question raised was as to Pembroke, the hon. and gallant Member for Stamford (Sir John Hay) and the right hon. Baronet the Member for Portsmouth (Sir James Elphinstone) voting that Pembroke should be inserted, and my right hon. Friend the Member for Tyrone (Mr. Corry) and the hon. Member for Droitwich (Sir John Pakington) voting that Pembroke should not be inserted. I find also that in moving the Estimates for 1866-7, on the 26th of February, 1866, Lord Clarence Paget said distinctly that no further expenditure would be incurred at Woolwich, with a view to its being closed in accordance with the recommendation of the Report. I do not think, under these circumstances, there could be any doubt that Woolwich Dockyard should be closed as soon as the business to be done in the yards admitted of the reduction; and when, on reviewing the programme of work, I was satisfied that the time had come, we decided to take the step; and notice was given that it would be closed on the 1st of October. With respect to the persons employed there, I am most anxious that they should be treated with the greatest consideration, and I hope our policy will minimize the distress and loss to which they will be exposed. The established men will be transferred to other yards; we propose also to transfer as many of the non-establishment men as we can, and with regard also to mechanics in the factory who, although liable to be discharged at any moment, are of value to the Government, we hope, as vacancies occur in other yards, to re-enter as many as possible after the 1st of October. So far as regards the interests of the officers and men. Then, as regards the interests of the town of Woolwich, the yard will be let for the purpose of a private establishment if any parties are prepared to take it. It has been proposed to sell it; but looking to the possibilities of a naval war, I should hesitate to do so until the works at Chatham are finished. Meanwhile, we shall try to carry out arrangements by which the ground, buildings, and valuable machinery will be utilized. That is all it is possible to do in the interests of the locality, and that we shall do to the best of our power.

With respect to the expenditure in the great dockyards, I will just allude to our proposals under Vote 11, that for Works and Machinery. That part of the Vote which concerns buildings is less by £38,000 than last year. But the cause of the reduced expenditure is no falling off in the great works which are necessary for the docking of our fleets. On the contrary, we increase that expenditure. For instance, at Portsmouth and Chatham, where extension works of great importance are being carried on, we propose to spend £470,000, against £420,000, which was the amount of the Vote last year. We also propose to take £30,000 to complete the dock at Malta, and £15,000 for a berth for the floating dock at Bermuda. Where we economize is in the petty expenses upon the small works which fritter away so much money; although so far as ordinary repairs are concerned we have provided above £60,000. There is one dockyard which I cannot help alluding to, and with which the name of my right hon. Friend opposite (Mr. Corry) will always be connected. Keyham is the child of my right hon. Friend, and I must say that it does credit to its parent. Among the many things which the House and the service owe to him, the construction of that great establishment at Keyham is one of the greatest, and most thoroughly has it answered the expectations that were formed of it. The Committee of 1864 proposed to carry out still larger works at Keyham in respect of basin and dock accommodation, but just now I do not think these are required. Remembering what we are doing at Portsmouth and Chatham, we should be, in my judgment, wrong in embarking on an expenditure of several thousand pounds at Keyham, and my right hon. Friend must therefore forgive me if we do not propose to do more there than ordinary maintenance. I may now remind the Committee that the dockyards are not the only great establishments under the Admiralty. We have in the victualling-yards large and expensive establishments where the food of our men is prepared and shipped, and we also have very important naval hospitals at our principal dockyards and naval ports. We have been making inquiries as to each of these great establishments, and those hon. Members who have looked at the Estimates will see that, sooner than rashly effect detailed reductions as to which we have not yet had time to complete our inquiry, we have taken gross sums, knowing that we shall be able in the course of the spring to mature more economical arrangements. There is no doubt that in the victualling-yards there is a very excessive charge for superintendence, and the division of duty between the superior officers, however well considered in times past, is now not altogether satisfactory, and in some respects altogether anomalous. The time has come for re-considering these arrangements; but the course I took is one which, after the debate this evening and the Notice of the hon. Member for Portsmouth (Sir James Elphinstone), will, I fear, expose me to some criticism. When the Government was formed it was thought a judicious arrangement that one of its junior members should be ready in the House of Lords to answer any questions which might be asked there respecting the Navy. We heard this evening of the old generals in the House of Lords, but there are old admirals as well as old generals. Lord Camperdown has undertaken this duty; and in order that he may do so more effectually (and I cannot speak too highly of his ability), I have thought it advantageous to give him an opportunity of personally looking into some of the Admiralty business. Lord Camperdown has visited the victualling-yards, spent some time with the principal officers there, and made a valuable Report to the Admiralty. Upon that Report we hope by-and-by to found many judicious and economical arrangements. The subject has not yet been fully considered, but I anticipate considerable benefit from the minute and careful examinations which he has made into those great establishments. In the same way, one of the things which cannot but strike any man who goes into the details of the Admiralty Estimates is the gradual increase which during the last ten years has arisen in the establishment charges at our naval hospitals, while the number of patients and the expenses of maintaining them, the other expenses, have not increased at all. When this came under my notice, it occurred to me that the present was a very favourable opportunity for obtaining some advice and assistance outside the Department, because Dr. Bryson, who has been Medical Director General for some years, was ending his term of service (it has since expired), and his successor has not been appointed. We therefore appointed a Committee of three medical men, known, I dare say, to many Members of this House—Dr. Murchison, Mr. Holmes, who has rendered similar assistance to the Government on previous occasions, and Mr. Ellis—and they furnished to us a Report of great interest, going minutely into the details of the establishment of those hospitals, comparing them with the civil hospitals, proposing certain reforms, and giving very valuable information upon the whole subject. That Report has only been received within the last few days. It will be referred to the different officers concerned by whom it will be narrowly examined, and I have every reason to believe that in consequence very valuable improvements will be made in the administration of our naval hospitals.

I have now, I fear, at too great length gone through the principal amendments and reforms which up to this moment we are in a position to propose with respect to departmental organization at the Admiralty; and I repeat that, as to the dockyards, our reforms are as yet imperfect, and that further inquiry will be necessary. But I am now going into the second great subject which I shall have to lay before the Committee—I mean our policy respecting our fleets and men. In 1867, speaking from the opposite Bench, I was the organ of those who, having had some Admiralty experience, took an interest in these matters, and I developed to the House the change of policy which we believed was called for with respect to our fleets. I explained—I hope modestly, because I did not pretend to speak with the authority of a Minister having access to official information—the sort of reduction which I thought might be made, with due regard to the security of our national interests, in our squadrons abroad. I elicited from the Government their views upon a question which, until then, had not for many years past been discussed in either House of Parliament. My right hon. Friend opposite(Mr. Corry) very fully entered into the debate, though he had been but a short time in Office, and, except that he rather snubbed persons who had been Civil Lords for daring to enter into the high region of Admiralty administration, I think his remarks were exceedingly fair. The result proved that; because—though for the moment, with due official caution, he objected to my scheme which was to reduce 7,000 in our foreign squadrons—he himself afterwards effected a reduction of 3,208. I cannot but rejoice, therefore, that we took occasion then to re-open a subject admitted now by both sides of the House to be one which should be taken up by the Government. My right hon. Friend laid down at the time a very sound doctrine, which he put in clear words. He said that this question of the strength of the foreign squadrons was not so much for the consideration of the Admiralty as for that of the Colonial and Foreign Offices—it was not so much for the consideration of Parliament as for that of the responsible Advisers of the Crown; and in passing I may say that from the latter point of view I was a little surprised at the notice he has given this Session for a Select Committee to consider these questions. This, however, was the doctrine which he laid down, and I have now to inform the Committee that in what I have done and propose to do I shall most carefully follow his advice—that is to say, whatever we do in connection with our foreign squadrons will only be done after most careful consideration, with the Foreign and Colonial Secretaries, upon whose action, of course, the arrangement of our fleets abroad very much depends. During the short time I have been in Office I cannot pretend to have had time to go through the whole details of our foreign stations, particularly those which, as lying nearer home may be dealt with later, our Mediterranean and North American stations. We have, however, carefully considered with the Foreign and Colonial Offices the whole details of our fleets on the China and other distant stations, and I am in a position to say what we propose to do. At the present time our fleets on the south-east coast of

America, in the Pacific, on the Australian station, on the China station, on the East India station, at the Cape of Good Hope, and on the west coast of Africa—taking the figures from my right hon. Friend's speech last year as indicating his intention in the late Board of Admiralty—constitute altogether a force of eighty ships, with 11,767 men. We have already arranged, in accord with the Foreign and Colonial Offices, that those eighty ships shall be reduced to sixty-four, and the 11,767 men to about 8,500—altogether, a reduction of sixteen ships and 3,267 men. That is what we have been able to do on these stations during our two months of Office. This, added to the reduction of last year, gives altogether a reduction of 6,600 men; and as the reduction I ventured to suggest in 1867 was only one of 7,000, I think we have gone a long way towards carrying out that suggestion. The force on foreign stations as proposed by the late Admiralty and by the present, is shown in the following comparison:—

> "Strength of force, according to the late Admiralty in 1868—South-east coast of America, 6 ships, 969 men; Pacific, 12 ships, 2,755 men; Australia, 4 ships, 776 men; China, 34 ships, 4,008 men; East Indies (after deducting ships detained on account of the Abyssinian war), 7 ships, 1,275 men; Cape of Good Hope, 3 ships, 509 men; West coast of Africa, 14 ships, 1,475 men; total, 80 ships, 11,767 men.
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> "Strength of force as now arranged with Secretary of State—South-east coast of America, 5 ships, 500 to 600 men; Pacific, 10 ships; 2,000 men; Australia, 4 ships, 700 to 800 men; China, 25 ships, 2,700 to 2,800 men; East Indies (not including gunboats in the Persian Gulf), 6 ships, 1,000 men; Cape of Good Hope, 3 ships, 400 to 500 men; West coast of Africa, 11 ships, 1,000 men; total, 64 ships; 8,300 to 8,700 men (say, 8,500 men).
>
> "Reduction—16 ships, 3,267 men."

With regard to the East Indian station, we have effected an arrangement which appears on the face of the Estimates, and which, I hope, the House will approve. We have called on the Indian Government to bear their share of the cost of the Navy in Indian seas. Hitherto, although India has borne her share of her military expenses, she has not borne any share of her naval expenses. My noble Friend (the Duke of Argyll) and his Council have agreed to an arrangement upon a basis which I will now explain. Proposals have been made from time to time to restore the old Bombay "Marine" for the purpose of having a small fleet in the Persian Gulf. That, I am happy to say, was not the view of the late Admiralty or of the late Government. The late Government came to the decision that that arrangement was not a wise one. I entirely agree with them in that view, and we have arranged with India that we shall furnish her with a sufficient force to keep three gunboats in the Persian Gulf, she paying the expense of the fleet in the Bay of Bengal and the Arabian Gulf, that is everything north of a line drawn from Cape Guardafui to Ceylon and the Straits Settlements. She will pay a capitation rate of £70 on the average number of men within these limits, and we, on the other hand, will pay as now for any fleet kept on the east coast of Africa. I think that is a fair bargain. India then, in respect of the fleet now on her coast, will pay into our Exchequer £70,000 a year. With respect to the Mediterranean and North American stations, as I have said, we have not had time to come to any definite arrangements; but their state will be well considered by the Admiralty, in conjunction with the Colonial and Foreign Secretaries of State. At the same time that we propose to make this reduction in our foreign stations we shall carry out the policy of sending a flying squadron to visit all our foreign stations, and for this purpose we hope soon to fit out six or seven very fine ships. Under this arrangement we shall keep our men more at sea than they are at present. In the course of the present spring, about Whitsuntide, we also propose to send out on a cruize several of our coastguard ships, and flag-ships, forming what I may call our First Reserve Squadron; and we intend to offer to any of the Naval Reserve men who might like to take their drill at that particular time the option of going out on the cruize. I wish it to be understood that it is not by this measure intended to call out the Reserve, which indeed can only be done in time of war, or to consider this a test of their efficiency, but we think it would be useful to the public service for the Reserve men to have the opportunity of going to sea. I may say that the ships which we expect to have prepared for the purpose at Whitsuntide are the *Black Prince*, the *Agincourt*, the *Valiant*, and the *Hector*, iron-clads; the *Donegal*, the *Duncan*, the *Trafalgar*, and the *Royal George*, line-of-battle ships, and the *Mersey*, frigate; that is to say seven coastguard ships and the flag-ships at the Nore and at Cork. With regard to the Naval Reserve, we propose no considerable change in the Estimates, but I think the time will come in the course of the year when it may be convenient that the Admiralty and the Board of Trade should make some minute departmental inquiry into the whole arrangements connected with that force.

I have now stated our general policy with regard to our fleets. We propose gradually to reduce the foreign squadrons to the minimum amount necessary for the maintenance of the honour of the country, the protection of our commerce, and for effecting those other objects for which the squadrons are maintained. We propose to keep our ships and men as much at sea as possible; and I need not say in connection with that that we also propose to be as economical as we can in the consumption of stores, and especially of coal. I now come to the actual effect which our proposal will have on the Vote for the men. In the last year, 66,770 men were voted. In the present Estimates, we propose to take only 63,000, thus effecting a reduction of 3,770. I must not, however, omit to state that a very considerable part of this reduction is due to my right hon. Friend the Member for Tyrone (Mr. Corry). The reduction which I propose is in the non-seamen class. We do not propose to reduce a single blue-jacket, and there has been no reduction of the blue-jackets afloat since I came into Office. I shall give the House the details of our reduction. The number of officers and men of the non-seamen class voted last year was 18,455, this year it is proposed to be 16,677. Last year the number of blue-jackets was 20,085; the number now proposed is 19,400. The number of boys in the coastguard ships is reduced from 360 to 328. The coastguard on shore is reduced from 4,500 to 4,325; the boys for service from 4,300 to 4,000; the boys in training from 3,100 to 3,000. The number of marines last year was 14,700; it is now to be 14,000. The total number under these several heads were, last year, 65,500; this year the number is to be 61,730. The numbers were as follows when my right hon. Friend retired from Office:—Officers and non-seamen class, 18,112; blue-jackets, 19,280; boys in coastguard ships, 312; coastguardmen on shore, 4,513; boys for service, 4,517; boys in training, 2,702; marines, 14,231; being a total of 63,667 as against 61,730, which we now propose. The reduction effected therefore by my right hon. Friend was 1,833, and I propose a further reduction of 1,937. I may now enumerate some of these reductions. My right hon. Friend substituted for an establishment of engineer's stokers, and shipkeepers and servants in charge of the ships in reserve, a small establishment of officers and men on board divisional ships—the ships being what is called "locked up." He greatly reduced the yard craft, abolished the Reserve at Chatham and one stationary ship at Sheerness. We also have abolished one at Portsmouth, and we shall also abolish one at Devonport. [Mr. Corry: What is the name of the new flag-ship?] The *Duke of Wellington.* The *Victory*, I may add, is not laid up in ordinary as has been imagined. We have ceased to train second-class cadets in the *St. George*, all the boys being transferred to the *Britannia.* We have abolished the coastguard ship at Milford, reduced the establishment at Ascension, abolished the Commodore's flags at the Cape and on the South Sea station, reduced the Commodore on the Indian station to the second class, substituted marines for a large number of servants. We have also reduced the number of non-continuous service stokers—the number of stokers in the Reserve being admitted to be excessive—and we have made an arrangement under which a number of blue-jackets will be employed as stokers at an increase of pay, the plan being similar to one which has been adopted with success in the French Navy. The total result of our change is not to diminish by one single man the really effective power of the British Navy. We propose also to reduce the boys by 400. This reduction is a pure matter of arithmetic. My right hon. Friend opposite knows very well how past Lords of the Admiralty have strained to make up the number of boys to a sufficient number to supply the waste of the fleet. Even in 1867 I urged the necessity of more being done in this direction, but I am happy to say that we have now reached that point, and gone beyond it, while the waste is diminishing every year. With regard to the reduction of the non-seamen class, there are some facts which I think will prove of interest to the Committee. Since 1858-9, this class has been steadily increasing, while the seamen class has been falling off in numbers. In 1862-3, the seamen numbered 27,130, as against 10,518 of the non-seamen class; in 1863-4, the former class had fallen to 24,593, while the latter had been increased to 11,160; in 1864-5, the numbers were 23,039 and 11,950; and in 1867-8, the seamen class had been reduced to 20,615, while the non-seamen class, exclusive of officers, had been increased to 12,718. These figures, I think, go far to justify the course we propose in stopping the reduction of blue-jackets. Let me, at the same time, show how the moderate reduction which we propose to make in the coastguard can be made without injury to that force when regarded in the light of a reserve of additional seamen for the fleet. In 1865-6, when the present establishment of the coastguard may be said to have been settled, there were in it 4,000 of the seamen class, and 1,200 of the civilian class. The blue-jackets, of which the coastguard forms a reserve, stood at 21,567. The former under our plan will be 4,450, compared with only 19,401 blue-jackets afloat. The result of this will be that the strength of the coastguard, compared with the blue-jackets of the fleet, will be very much greater than it was in 1865-6.

I now come to one part of our Navy in which our Estimates show a reduction which requires a little explanation, although the present Board of Admiralty did not settle the figures—and that is the strength of our Marines. When I took Office I found that my right hon. Friend had approved a proposal to reduce that force from 14,700 to 14,000, and had also approved of the reduction of the Woolwich division. It has been our duty to carry out what my right hon. Friend proposed to do. There can be no doubt that his proposal was a sound one, and for this reason — If you have an excessive number of Marines on shore as compared with those afloat, the body, which is a costly one, does not get sufficient training. The number of Marines afloat was, in 1859, 10,200; in 1862, 8,700; in 1865, 7,900; and in 1868, 7,600. It is therefore quite clear that a gradual reduction in the Marines on shore has been imperative; and my right hon. Friend's second thoughts were best, though he resisted my proposed reductions both in 1867 and last year. But, though the task of reducing the men was not entirely left to us, I found, on acceding to Office, that I had a *damnosa hereditas* in the reduction to be made in respect of the officers. I had hoped that this exceedingly disagreeable task would not have fallen to my lot. [MR. CORRY was understood to deny the correctness of the right hon. Gentleman's statement.] I am not attempting to throw any blame upon my right hon. Friend, but am endeavouring to make some excuse for what I myself have been compelled to do. I had not been in Office a week before I was inundated with complaints about my harshness and injustice with regard to the officers of the Marines, and I wish, therefore, to offer a few remarks in my own justification. In April, 1867, there were 509 officers of Marines and 15,887 men. In August, 1867, there were 532 and 15,678 men, my right hon. Friend, for a reason which he explained as having for its object the improvement of promotion, having increased the number of officers by twenty-three, at the same time that he reduced the number of men by over 200. In March, 1868, my right hon. Friend reduced the men by above 1,500 to 14,165, but for some unaccountable reason he left the officers at 533, and in December, 1868, when I came into Office, I found that, with the same number of officers, the men had been still further reduced to 13,436. The complement of officers to that body of men—and we have arranged it on the most liberal scale—was only 438, and it was consequently my disagreeable task to make a reduction of no less than ninety-five officers. In addition to that, too, a few days before I took Office, a number of gentlemen had been sent up for examination for commissions, and of these sixteen had passed, two out of that number having actually been appointed. I therefore had to deal not only with ninety-five officers, many of whom ought to have been reduced the year before, but with those who had just passed for their commissions. I mention this extraordinary state of things for my own justification, because I have been bombarded by the fathers and mothers of these Marine officers, complaining of my cruelty in putting some on retired or half-pay, and not appointing others.

And now this brings me to the most important part of my statement with regard to the officers and men—namely, the enormous excess of officers on the active list. This has been the subject of remark for a long time past, and no doubt several important amendments have been made. I see sitting by my right hon. Friend his Colleague the hon. Member for Stamford, and I know that they both think that some remedy must be found for this evil. Indeed, I have read carefully the interesting controversy between them in 1862, and I might appeal to my right hon. Friend's famous letter from Rome. But at the present time the facts as to the state of the lists are these. I leave out the admirals of the fleet and admirals—very few of whom now-a-days are employed or supposed to be fit for really active service. There are seventy-nine vice admirals, of whom twenty-three are on the active list, and of these four only are employed at sea and four in harbour and elsewhere. Of rear admirals we have 127, of whom forty-eight are on the active list, and of these three are employed at sea and six in harbour and elsewhere. Out of 725 captains, 295 are on the active list, and of these sixty-one are employed at sea, and thirty-nine in harbour or elsewhere. Of 1,161 commanders 405 are on the active list, and only eighty-six are employed at sea, and ninety-nine in harbour or elsewhere. The result of these figures is that we have employed at sea only one in ten of vice and rear admirals on the active list, one in five of captains, and one in four and a half of commanders. As to the junior part of the captains' list, matters are lamentable in the extreme. Out of 111 captains with service of five years and less, there are only ten employed, the proportion being one in eleven; and out of eighty-nine commanders of two years' and less service, fourteen only are employed, the proportion being one in six and a-third. Dividing the captains into three batches, I find that the first 100, who have been on the list an average of thirteen years, have been employed for six years and 322 days each. The second 100, with an average of six and a half years on the list have have been employed one year and 277 days; while the third 100, who have been on the list an average of two years each, have been employed for seventy-one days each. Again, as to se service. I find that the first class of captains, out of their average of thirteen years on the list, have had only between four and five in sea service; the second class, out of their six years and a half, have had only between one and two years; and the third class, out of their two years, have had only sixty-one days or two months. Now I think that is a state of things which imperatively demands relief, and yet when we look at it from another point of view it seems difficult to say in what way the relief is to be brought about. One might hope that by reductions in the numbers of the lower ranks of late years gradually the excess above might be eased off. But I fear that the late Board of Admiralty took too much credit for this. The number of entries of naval and navigating cadets in 1865 was 186, in 1866 was 160, in 1867 was 175, and in 1868 was only brought down to 140. During that time the number of sub-lieutenants and navigating sub-lieutenants which in former times had been thought sufficient at 150, or 200, had risen from 298 in 1865 to 362 in 1866, 347 in 1867, 364 in 1868, and 446 this year; of whom there were in the first four years made lieutenants and navigating lieutenants 88, 141, 122, and 76. At the beginning of this year, as I have said, there were no less than 446 sub-lieutenants on the list. Looking then at the state of things now existing in respect of officers, I think it will be admitted that it is most unsatisfactory. Let us see what is the result. Of course, it is very uneconomical. Of that there can be no doubt whatever. You are paying more officers than you can employ; but not only is it directly uneconomical, but indirectly it has two bad effects. One is that when officers are employed for so short a time the pay they receive is insufficient. Though the rate of full pay may be very good if an officer received it for his full time, it is by no means satisfactory when an officer is paid for only one-third of his time; you thus have constant agitation for higher pay. But more than that, when you have too large a number of officers for the service to be performed, do what you will, it makes the Government look tenderly on the creation of unnecessary employment. I do not wish to go into detail on this point. I have already mentioned esa tablishments in which to my mind too many officers are employed. It may be right to employ them in those establishments or it may not be; but so long as you have so large a number of idle officers it is impossible to resist the pressure to create employment for them. But I wish to point out a still more injurious result arising from our having too large a number of officers, and I make this statement with a full sense of its importance, and on my responsibility. I feel no hesitation in saying that it is injurious to the efficiency of the Navy. Communications which I have received within the last two months from admirals and other officers in command in all parts of the world, convince me that though our naval officers are as gallant men as are to be found in the world and as willing to do their duty, yet there is a want of efficiency among them, arising from a want of employment. You cannot expect adequate experience from captains and commanders who are for two-thirds of their time on shore. I appeal then to the House to support us in reducing these lists in some practical and regular way. It cannot be done by the slow process of knocking off two or three a year under Orders in Council like those of 1866. The proposal we intend to make will be embodied in a Bill, which my right hon. Friend the Chancellor of the Exchequer will introduce if I do not. It will provide that officers on half-pay willing to retire, and who may be spared from the service, shall be able to compound their half-pay for its equivalent present value, the State having then no more claim on them. This would be effected through the agency of the National Debt Office, who would advance the composition, the amounts of half-pay being annually voted, and paid over to them. At first this would save nothing pecuniarily; but the practical gain would be that our active lists might be reduced to the numbers really required, and we shall then be able to substitute for the artificial, and in many respects unintelligible, rules of retirement a simple system with rates of pay based on service and sea service. We should also have an opportunity of fixing the numbers of each rank on an actuarial calculation, which, allowing for deaths and a due proportion of retirements, would secure, as far as possible, that officers would reach the various classes at suitable ages. This system should apply to all the lists. I do not mean that we should have only a sufficient number of officers for ships in commission in peace time. We must provide a reserve for war; but at present our reserve is too great. I may add that we have already checked the supply from below by reducing the entries of cadets from 140 to 114.

I now come to the third part of my subject—that which relates to our policy in building and repairing ships. Our intention is to minimize the repairs and alterations, especially of old-type ships. It will be seen by the programme that we propose an increase in the number of men employed in building ships, and a considerable diminution in the number employed at repairs. In connection with the expenditure on repairs we have arrived at a resolution decidedly tending to economy. We have resolved that the length of time for which a ship will be commissioned shall be increased from three or four years to five years, proper provision being made for intermediate changes of officers or crews. The effect of that will be to very much reduce the amount of expenditure which is almost always incurred when ships are put out of commission. We intend to thoroughly overhaul our stock of stores in all parts of the world, and to re-cast, to some extent, our establishments. We propose to keep the dockyards at the point really required for economic efficiency, making the necessary reductions only gradually. We propose also to build in them vessels chiefly of the latest type; to employ the private trade as our adjunct—and that for the fabric of ships rather than for fittings, and not so much for ships of novel type as for those which can be specified clearly in contracts. We intend besides to propose to the House the repeal of the Naval Stores Act, by which, it is said, we now lose more than we gain, in order that we may be able to dispose of ships which cannot now be brought into the market except to be broken up. But before stating to the House our proposals for building, I will describe the work on hand, stating first the ships in the dockyards. First as to ironclads not yet completed—At Woolwich we have the *Repulse*, launched, but which will not be ready for sea till July; at Chatham, the *Monarch*, which will be ready for sea in May, and the *Sultan* and the *Glatton*, which will be three-fourths complete at the end of the financial year and ready for sea about July, 1870; at Pembroke, the *Iron Duke*, which will be launched in winter and will be completed in May, 1870. The iron-clad ships building by contract are—in the yard of Messrs. Laird Brothers, the *Captain* (turret), which ought to be ready in April, but will not, I fear, be before July; in Messrs. Napier's yard, the *Audacious*, which ought to be ready in July, and the *Invincible,* which ought to be ready in October; again in the yard of Messrs. Laird Brothers, the *Vanguard,* which ought to be ready in October; in Messrs. Palmer's yard, the *Swiftsure* and the *Triumph,* both of which will be half finished this financial year; and in Messrs. Napier's yard, the *Hotspur,* which will be all but finished this year. The unarmoured ships are these — at Woolwich, the *Thalia,* corvette troop-ship, which will leave Woolwich in September to be fitted at Sheerness; the *Druid,* corvette, which will be ready in July, and the *Spartan,* corvette, which will be ready in April. At Sheerness we have the *Briton,* corvette; at Portsmouth, the *Dido,* corvette; and at Devonport, the *Tenedos,* corvette, —all of which will be completed in the course of the present financial year. At Pembroke we have the *Inconstant,* frigate, which will be completed in May next. In addition to these ships we have two small gun-vessels which will be ready in a short period. We have building by contract only two large corvettes, the *Active* and the *Volage,* in the hands of the Thames Company, which will be ready for sea in June or July. The result will be that at the end of the financial year 1869-70 the only unfinished ships will be—at Chatham, the *Sultan* and the *Glatton,* which it will require three months to complete, and at Pembroke, the *Iron Duke,* which it will require one month to complete. The ships building by contract—namely, the *Triumph* and the *Swiftsure*—will require nine months, and the *Hotspur* one month for their completion. There will be no unarmoured ships in hand at the end of the financial year, except a small gun-vessel, at Chatham, and the *Osborne,* which was to have been built in the course of the year 1869-70, but the building of which has been postponed in consequence of the expenditure incurred in the repair of the *Victoria and Albert.* Having shown to the House what our work in hand consists of, and how small a portion will remain to be performed at the end of the financial year, I will now proceed to give them the particulars of the new ships we propose to lay down in the dockyards. I must here state that I think the greatest credit is due to the Controller and to the Constructor of the Navy for the pains they have been taking for some time past in drawing up the specifications for two new ships which I propose should be commenced at Chatham and at Pembroke Dockyards, at the beginning of the next financial year, and which, I do not hesitate to say, will be the most powerful vessels in the world. The two vessels of which I am speaking will be turret-ships, each of 4,400 tons and of 800 nominal horse power, working up to 5,600. They will have double screws and four engines, and their speed will be 12½ knots per hour. Their construction will enable them to carry 1,750 tons of coal, a quantity sufficient to last for ten days' consumption at a speed of 12 knots, and much more at lower speed. They will carry four 25-ton guns, two in each turret. Their freeboard will be 4 feet 6 inches, the base of the turrets being protected by a raised breastwork of oval form 7 feet high. Their armour on the sides and breastworks will be 12 inches and 10 inches thick, and 14 inches and 12 inches on the turrets; while the backing will be from 13 inches to 20 inches thick, having an inner skin of armour 1½ inch to 1¼ inch behind. Their decks will be covered by 2-inch and 2½-inch plates. They will have no masts, and therefore their turrets will be able to deliver an all-round fire. Their crews will consist of 250 men and officers, and the cost of each will be about £286,000, including their engines.

Sir JOHN HAY inquired what would be the draught of water of these proposed new vessels?

Mr. CHILDERS: Their draught will be between 25 and 26 feet. We also propose to build, at Portsmouth, a third ship of the same kind, with some improvements, as the turret-ram *Hotspur,* proposed by the right hon. Gentleman opposite (Mr. Corry) last year. The difference between the proposed vessel and the *Hotspur* will be that the former will be somewhat larger, will have thicker armour, and will have a revolving instead of a fixed turret. The new vessel will be of 3,200 tons burden, of 700-horse power, working up to 4,200, with a speed of 12 knots, and will carry 350 tons of coal, sufficient for three-and-a-half days' steaming at 10 knots per hour. She will carry two 18-ton guns in one turret, her freeboard will be 1 foot 6 inches, and she will have a 7-foot high breastwork round her turret. Her armour-plates will be of the following thickness:—9 inches to 11 inches on the sides, 12 inches on the breastwork, 12 inches to 14 inches on the turret, and there will be a 2-inch deck-plating. She will carry fore-and-aft sails, with slight rigging without shrouds, and her crew will consist of 200 men and officers. Her cost will be £195,000, including the engines. The only other ships we propose to build in the dockyards will be one or two small vessels, like the *Staunch*, either at Portsmouth or at Devonport. The right hon. Gentleman opposite deserves great credit for that vessel, which will I hope be very efficient for harbour purposes, being merely a floating gun carriage. I stated just now that the building of the *Osborne* yacht at Pembroke had been postponed. In consequence of the repairs required by the *Victoria and Albert*, Her Majesty, with her usual consideration for the public interests, has expressed her approval of the proposal to postpone the building of the new vessel until the following year. And now, if I have not already wearied the Committee, perhaps I may be allowed to state, in a few words, what will be the state of the English Navy when the proposed new ships have been built. I am not aware that any such statement has been made for years past, and, perhaps, as we have now reached a turning point in our armoured fleet, it may be for the convenience of the House that they should have before them a succinct account of the actual state of the Navy of the country. We shall have then altogether 36 broadside armoured vessels, carrying 555 guns; and these vessels I have, with the assistance of my naval Colleagues, classed in a way that I think will be intelligible to the House. The first class includes two vessels, the *Hercules* and the *Sultan*, protected by 6-inch to 9-inch armour, of a speed of 14½ knots per hour, and carrying 18-ton guns, and others of smaller calibre. Class 2 consists of six vessels—namely, the *Audacious*, the *Invincible*, the *Vanguard*, the *Iron Duke*, the *Swiftsure*, and the *Triumph*. These vessels are protected by 6 to 8-inch armour, possess a speed of 13½ knots per hour, and carry 12-ton guns and others. Class 3 consists of nine vessels—namely, the *Bellerophon*, the *Lord Warden*, the *Lord Clyde*, the *Minotaur*, the *Agincourt*, the *Northumberland*, the *Royal Alfred*, the *Repulse*, and the *Penelope*. These vessels are protected by 5½-inch to 6-inch armour, possess a speed of 13 to 14 knots per hour, and carry 12-ton guns and under. Class 4 contains eight vessels—namely, the *Achilles*, the *Royal Oak*, the *Prince Consort*, the *Caledonia*, the *Ocean*, the *Valiant*, the *Hector* (the two last badly protected), and the *Zealous*. These vessels are protected by 4½-inch armour, have a speed of 12½ knots per hour, carry 9-ton guns and under. Class 5 consists of four vessels—namely, the *Warrior*, the *Black Prince*, the *Defence*, and the *Resistance*, all, I regret to say, being badly protected. These vessels are protected by 4½-inch armour, have a speed of 12 to 14 knots per hour, and carry 9-ton guns and under. Class 6 consists of two smaller vessels — namely, the *Pallas* and the *Favourite*, protected by 4½-inch armour, having a speed of 12 to 13 knots per hour, and carrying 9-ton guns and under. Class 7 consists of two sloops—namely, the *Enterprise* and the *Research*, protected by 4½-inch armour, having a speed of 9½ knots per hour, and carrying 6½-ton guns, and three gunboats—namely, the *Viper*, the *Vixen*, and the *Waterwitch*, protected by 4½-inch armour, having a speed of 9½ knots per hour, and carrying 6½-ton guns. We shall also possess eleven turret and special vessels, carrying 43 guns, which are classed as follows: — Class 1 will include the two, of a new design, which I have just described to the House, protected by 10 to 14-inch armour, having a speed of 12½ knots per hour, and carrying 25-ton 12-inch 600-pounders; Class 2 will consist of the *Monarch* and the *Captain*, protected by 7 to 8-inch armour, having a speed of 14 knots per hour, and also carrying 25-ton guns. Class 3 will consist of the *Glatton*, protected by 10 to 12-inch armour, having a speed of 9¼ knots per hour, and carrying 25-ton guns. Class 4 will consist of the *Hotspur*, protected by 8 to 12-inch armour, and the second *Hotspur*, protected by 10 to 14-inch armour, both possessing a speed of 12 knots per hour, and carrying 18 or 25-ton guns. Class 5 will consist of the *Royal Sovereign* and the *Prince Albert*, protected by 4½ to 5½-inch armour, having a speed of 12 knots, and carrying 12-ton guns. Class 6 will consist of the *Scorpion* and the *Wivern*, protected by 4½-inch armour, possessing a speed of 10 knots per hour, and carrying 12-ton guns. The grand total of these figures will give us forty-seven armoured ships, carrying 598 guns, of which eighteen are 25-ton, nineteen are 18-ton, and 111 are 12-ton. Our

unarmoured fleet may be described in general terms thus—We have at the present time, thoroughly fit for service, about twelve old line-of-battle ships and heavy frigates of the old type, including the *Galatea* and the *Ariadne.* (I omit a considerable number of less efficient old type wooden ships.) In addition to these vessels we have the *Inconstant,* heavy frigate, having a speed of 15 knots per hour, and carrying 12½-ton guns; the *Active* and the *Volage,* large corvettes, having a speed of 15 knots per hour, and carrying 6½-ton guns; 12 *Blanche* class corvettes, having a speed of 13 knots per hour, and carrying 6½-ton guns; two of the *Druid* class, having the same speed and armament; twelve gun-vessels of the new type, having a speed of 11 knots per hour, and carrying 6½-ton guns; and seventeen new composite gunboats, having a speed of 10 knots per hour, and carrying 6½-ton guns; besides others of the old type, including eight heavy corvettes. The total of our unarmoured fleet, therefore, will be about sixty-six efficient vessels, besides a number of old sloops and gunboats. It must also not be forgotten that the maritime defensive and offensive power of England will consist in the future not only of ships and guns, but also of torpedoes, to the importance of which the naval authorities of this country are fully alive. It is not an easy thing to make an accurate comparison between the strength of the Navy of this country as it will be at the end of the next financial year, and that of any other maritime Power. But I may say that in comparison with our forty-seven armoured ships France will have thirty-seven, besides eleven floating batteries for harbour use. She, however, has no vessels that can compare with our first or second-class broadside or turret-ships, although she is strong in the third class. Her old unarmoured class is in better condition than ours, but she has only two or three of new type to compare with ours. The United States possess no sea-going armoured ships, but they have an immense fleet of this character available for home defence. The value of their recent unarmoured fleet is very doubtful; some persons regarding it as utterly worthless, while others think that it is of the utmost value. For my part, I suspect the truth lies between these extremes; and I should doubt whether she has any unarmoured cruizer equal to our *Inconstant.* So far as I can judge, only two of her ships of the *Wampanoag* class have succeeded; and the *Piscataqua* class are almost admitted to be failures. These are the facts in which I think the House may be interested with regard to the present state of the fleet, including those which are now being built, and those which we propose to build in the limits of the present year.

Let me say, in conclusion, that I confidently leave to the judgment of the Committee our acts and policy, which I have endeavoured to describe. As to the departmental arrangements, we have at least sheeted home responsibility for each division of business, and I have every confidence that under the able direction of Sir Sydney Dacres and Sir Spencer Robinson both the *personnel* and the *matériel* of the Navy will be well looked after. The Department is working thoroughly well; at least we are all perfectly satisfied with our relations to one another, and the progress of our business. With respect to the second subject which I have brought before the House, speaking on my responsibility, and with the entire concurrence of my naval advisers, I believe that what we have done, and what we propose to do in reference to the men and the fleet will not diminish, but will decidedly add to, the efficiency of the Navy. And with regard to the third subject, our ship-building, having laid before the country a distinct and positive policy, we propose to adhere to it. We believe not only that our proposals will be economical at the present moment, but that they will end in still greater economy, and on that ground we present them to Parliament. I move, Sir, that 63,000 Men and Boys be employed for the Sea and Coastguard service for the year ending the 31st of March, 1870, including 14,000 Royal Marines.

MR. CORRY: Sir, as I am suffering from a severe cold I must be as brief as possible in my observations. In the first place, I must congratulate my right hon. Friend (Mr. Childers) upon the very clear and able, and, I will add, very agreeable manner in which he has introduced the Navy Estimates to the notice of the Committee; and I can assure him that it is very gratifying to me, personally, that he should have been selected to occupy the office of First Lord of the Admiralty, not only from what I hope I may call our mutual friendship, but also because the attention he has paid for many years to naval subjects is a guarantee for the interest which he feels in the naval service. I must also thank my right hon. Friend for the honourable mention he has made of some portions of my naval administration — a compliment I appreciate the more, proceeding as it does from a political opponent. My right hon. Friend has adverted to the very considerable reforms which my Board had made in various branches of the service, and I will tell the Committee the amount of reduction which would have been effected if the Estimates for 1869-70 had been prepared by me. When I resigned Office I left in the hands of my right hon. Friend a Memorandum, describing the character of those reforms, and the reduction of expenditure of which they would have admitted. It amounted to £401,000, as compared with the Estimates of the current financial year. That was the saving resulting from measures which had been decided upon by my Board; but the Estimates for the ensuing year had not been considered in detail at Somerset House, where, as my right hon. Friend is aware, they always undergo considerable modifications, which would have made the total reductions considerably greater than the amount I have stated. I was unfortunately obliged to be absent on the Continent on account of ill-health till the middle of October. Upon my return, having been unable to join in the usual visitation with my Colleagues, I made a private visit to the yards which led to some material economies; almost immediately afterwards I was obliged to go to Ireland for my re-election, and on the day after my return I attended a Cabinet Council, at which the Government determined to resign. The Committee will thus see that I could not possibly have given a careful consideration to the Estimates. I cannot, therefore, say what would have been the precise amount of the reductions we should have effected over and above the amount set down in the Memorandum which I left at the Admiralty, except in respect of Vote 10, section 1, for the purchase of Naval Stores. I calculated the reduction of £401,000 on the basis of the rough Estimate placed in my hands by the Storekeeper General, which amounted to £31,000 more than what was granted for the current year. But I am authorized to say that, after having consulted with the Controller, he found that he could reduce his Estimate to £15,000 below the Vote for the current year. That would be a difference of £46,000, which, added to the £401,000, would make the total reduction £447,000, exclusive of such further reductions as would have been certain to follow a careful revision of the Estimates at Somerset House. But for the purpose of comparing my reductions—if I had proposed the Estimates instead of my right hon. Friend opposite—with those which he has been able to effect, I must make a considerable addition to the £447,000. In estimating the amount I should require for the service of the year, I calculated on the necessity of providing £337,000 for engines, and £515,000 for contract ships—total, £852,000—which the Controller had reported would be necessary, in order to meet existing engagements; and it was not my intention to lay down any new ships, armoured or unarmoured, during the year. In my opinion, sufficient had been done to put the unarmoured navy in a satisfactory state; and I did not think it would have been advisable to build more iron-clads until the applicability of the turret principle to sea-going ships of war had been fairly tested by the approaching trials of the *Captain* and the *Monarch*. But I was surprised to find that the Estimate of my right hon. Friend was only £295,000 for the purchase of engines, and £420,000 for contract ships, making together £715,000, as against my Estimate of £852,000. My right hon. Friend therefore asks for £137,000 less than what I should have required to meet existing engagements only if I had had to frame the Estimates. The explanation of the difference, however, is very simple. During the course of the autumn the revenue returns were so unsatisfactory that the late Chancellor of the Exchequer called a Cabinet Council, at which it was decided that, in order to avoid the risk of a deficiency, the heads of the great spending Departments should endeavour to make the largest possible saving upon their respective Votes. I thereupon consulted the Chief Constructor in the Navy—in the absence of the Controller who was then abroad—and the result was that I was able to undertake that, by withholding the payment of part instalments at the end of the financial year, which it was customary to make but to which the contractors had no legal claim, £190,000 of the Contract Vote should remain unexpended. But I understand my right hon. Friend intends to pay the part instalments as usual, during the present financial year, and is thus able to reduce the Vote for next year by the £137,000. If my Estimate for contract work had been prepared on the same principle, it would have shown the same reduction. It is a mere question of adjustment—that is, whether payments should be made on or before the 31st of March, or not till on or after the 1st of April; and, therefore, for the purpose of comparison with my right hon. Friend's Estimates, I have a right to add the further saving of £137,000 to that of £447,000 which I have specified, making a total saving of £584,000 as compared with the Votes for the present year. But this is not all. The Memorandum I left at the Admiralty did not notice Vote 17—the Vote for the Conveyance of Troops, as the War Office was not prepared to furnish us with the necessary data for an Estimate. The Admiralty has no control over that Vote. It has merely to provide for the demands made on it by the War Office. Last year the wages for the seamen and marines serving in troop-ships was provided for under the naval Vote, No. 1, and I had calculated my reduction on the supposition that they would continue to be so. But my right hon. Friend has transferred this item to the Army Vote, No. 17, and has thus reduced his naval Votes by the sum of £74,000. If my naval Votes had been relieved in the same way, they would have shown a further decrease to the amount of the £74,000, which, added to the savings already specified—£447,000 and £137,000—would have made a total of £658,000, as my decrease in respect of naval Votes, as compared with the decrease effected by my right hon. Friend. The total voted for naval services in 1868-9, exclusive of Vote 17, was £10,806,690. Deducting the supplies to other Departments,—£112,082—the net amount was £10,694,608. The total naval Votes for 1869-70, exclusive of Vote 17, are £9,680,293. The difference between the two years is £1,014,315, and if from this sum be abated my savings—£658,000—there remains £356,315, which is the amount of the decrease due in these Estimates to the right hon. Gentleman. His achievement, therefore, is not the reduction of £1,000,000 in the Navy Estimate, but only of £356,000. In one of the journals of this morning it is stated that the Government have saved on the Estimates for the Army and Navy £2,000,000 during the two months they have been in Office, being, it is added, at the rate of £1,000,000 per month. If they go on at this rate, the result by the end of the year will be remarkable. But it may be said that this large reduction of £658,000 was forced on us by public opinion—that we were compelled to be economical on account of the feeling of the country in favour of retrenchment. It has been asserted that the late Government had permanently increased the Estimates half-a-million a year. That is the greatest possible mistake. We never intended to increase the Estimates permanently. We increased them for special purposes. In 1867-8 my right hon. Friend near me (Sir John Pakington) increased them partly for the purpose of making provision for unarmoured ships, which had become indispensable to the maintenance of our foreign squadrons, and partly to increase the work on iron-clad ships, and last year I maintained the increase for the purpose of placing the armoured navy on, at least, as good a footing as that of any other nation. Those objects having been accomplished, the temporary necessity for increased expenditure ceased to operate, and we should have returned to Estimates very much of the same amount as those which were proposed by the Liberal Government before we came into Office. I should now like to show in what manner I proposed to effect the reductions in the Estimates as specified in the Memorandum I had placed in the right hon. Gentleman's hands. In the first place, I proposed to reduce the Marines by 700 men, for the reason I stated—that, the complements for iron-clads being considerably smaller than for line-of-battle ships, their number ought to be limited to that which would admit of their employment afloat with sufficient frequency to qualify them for the double purpose for which the force is intended. I find my right hon. Friend has given effect to my intentions in this respect, for which a memorial to the Queen in Council was prepared before I left the Admiralty. I had also carried out measures which enabled me to reduce by upwards of 1,000 the number of seamen-pensioners, and others, having charge of the ships in the reserves. These reductions effected a saving of £131,000 in the Votes for Wages and Victuals. Last year I abolished altogether the Steam Reserve at Chatham, which led to a considerable saving. This year I effected a further economy in the Medway by substituting one ship—the *Agincourt*—a first-class iron-clad, for the two line-of-battle-ships which had previously served as flag-ship and as guard-ship of the Reserve at Sheerness. I also placed the seamen's barracks under the charge of the captain of the Reserve which enabled me to dispense with the services of a captain, his staff and 200 men. But the greatest reform I have been able to effect has resulted from abandoning the old system of keeping up an establishment of ship-keepers — engineers, stokers, and servants on board each of the steam ships composing the Reserves. The greater number of these ships are now "locked up," as it is termed—having no one living on board them—and are placed under the charge of small establishments of officers and men on board "divisional ships." This reform is estimated by Captain Willes—the late captain of the Reserve at Devonport—to have reduced the annual charge on each of the larger ships from £1,000 to £200. I also proposed to effect a large decrease in the Votes for the Controller of the Navy. It was not my intention to lay down any new ship this year, and, in consequence of that, we should have been able to reduce Votes Nos. 6 and 10 by £195,000 below the Votes of last year, and the amount would have been still further reduced by £137,000, as I have already stated, if, like my right hon. Friend, instead of requiring the money to be re-voted, I could have paid part instalments, in accordance with the usual practice, out of the sums provided for the service of the present year. This would have made a total decrease on the Controller's Votes of £332,000. I also proposed to reduce Vote 11 by £44,000. The balance of increase and decrease would, as shown in the Memorandum, have been a decrease of £401,000, exclusive of any further reductions on a revision of the Estimates at Somerset House. But, as I have already observed, my naval Votes would, if prepared on the same principle with that of my right hon. Friend, have shown a decrease of £658,000. Looking at the Estimates before us, my right hon. Friend will forgive me for thinking that some of his reductions appear to have been made under some pressure—at all events, the first figures given in the general abstract would lead to that inference. The amount taken is £9,996,000, and if the figure six had been turned the other way it would have read £9,999,000. I cannot help thinking that my right hon. Friend was told by the Chancellor of the Exchequer, "You may have as many nines as you like in your Estimates, but on no account must the total begin with the figure ten." My right hon. Friend effects a decrease, over and above what I should have effected, of £356,000, the difference occurring chiefly under Votes 1 and 2, for Wages and Victuals; Vote 3, for the Admiralty Establishment; Vote 6, for Wages to Artificers; Vote 10, for the Purchase of Stores; and Vote 11, for New Works, and, in my opinion, the greater part of these reductions are ill-advised. Vote 1 shows an apparent decrease of £274,000, as compared with the Vote of last year; but £74,000 has been transferred from it to the Army Vote 17, so that the real decrease is only £200,000; and of that £98,000 is due to the measures which I carried out, so that the amount of reduction due to the present Government is £102,000. My right hon. Friend opposite and his Friends, in the course of the speeches which they addressed to their constituents in the autumn, expressed their satisfaction that I, in some instances, should have followed their advice in the administration of the Navy. But I may now return the compliment, and I congratulate my right hon. Friend on having followed my example, and refrained from reducing the Marines by more than 700 men, although last year he proposed, and went to a division, to enforce the reduction of 4,000. However, we will let bygones be bygones, and I am glad to find that my right hon. Friend, under the responsibilities of Office, has not thought fit to reduce that branch of the service to a greater extent. The Marines are an invaluable body of men, and I hope the reduction now made will be final. I do not think the force ought at any time to be less than the 14,000 at which it now stands. Sir James Graham expressed the opinion before the Manning Commission that they ought never to be reduced below 16,000, and now they are 2,000 below that number. I was surprised to hear my right hon. Friend say that I had left him the legacy of having to reduce the number of officers. He says that I increased the number of officers while I reduced the number of men.

Mr. CHILDERS: My right hon. Friend is under a slight misapprehension. What I said was that, during the year he reduced the number of men by 1,700, but he made no reduction in the number of officers.

Mr. CORRY: It is true that last year, when a reduction was made in the number of men, there was no corresponding reduction in the number of officers; but this year, when I decided on a further reduction of 700 men, I called for a statement from the Deputy Adjutant General of the proper proportion of officers in reference to the reductions both of this year and of last year, and I directed the draft for a memorial to the Queen in Council to be prepared accordingly, which placed the Marines on the same footing as the other seniority corps in respect of promotion. With respect to the redundancy of officers on the Navy List, I was myself desirous of carrying out a scheme for relieving it by inducing officers to give up their pecuniary claims on the service on payment of a fixed sum; but the plan which I contemplated, although economical in the end, would have necessitated an increase of expenditure in the first instance, and therefore, in the existing state of the revenue, it could not be entertained. The subject is one in which I have always taken great interest; and, indeed, the Retirement of 1847, which reduced the standing of captains before they could obtain flag rank from thirty-eight to eighteen years—a difference of twenty years in the ages of officers on reaching flag rank—was prepared by me, and carried against much opposition within the walls of the Admiralty. My unfortunate illness last year prevented me from paying as much attention to this and other subjects as I should have wished. The scheme my right hon. Friend has indicated would be open to this objection—that officers in want of ready money would sell out, and having lost their capital by unfortunate investments, or otherwise, might appeal to the Admiralty for assistance, which, in many instances, it would be difficult to refuse. Such a scheme might produce great distress. At the same time, I quite admit that anything tending to diminish the number of officers would deserve the consideration of the Admiralty and of Parliament. The better plan, perhaps, is to limit the entries of naval cadets, and my gallant Friend (Sir Sydney Dacres) and myself worked with this view. My right hon. Friend proposes to save £102,000 on Vote 1, by a reduction in the number of stokers, in the number of boys, of the coastguard, and of servants. With regard to the stokers, I am afraid my right hon. Friend has made a mistake. I think I gave sufficient indication last year of my great anxiety to effect every proper economy in the management of the reserves; but I cannot approve of this item of reduction. On making inquiries I found that, although stokers in abundance could be obtained at any time, skilled stokers were very scarce. By skilled stokers I mean men who can keep up the steam at a proper pressure, and preserve a uniform speed; and the difficulty of securing the services of such men will be gathered from the fact that it is necessary to supply stokers from the steam factory at Portsmouth, when ships are to be tried over the measured mile, or the result could not be trusted. If we discharge our skilled stokers, what shall we do in the event of a war? We shall have to go into the market and take stokers where we can find them, skilled or unskilled, and the result, I fear, will be disastrous. With respect to the reduction in the number of boys, it should be remembered that their numbers should always be sufficient to supply the waste of men in the service. Before I left Office I called for a Return showing how we stood in that respect, and I ascertained, from a statement given me by Sir Alexander Milne, that the number of boys was about sufficient to meet the waste of men, but not more. I am rather surprised at the course my right hon. Friend has taken in this matter; because, in the able speech which he made in 1867, he said he was glad that the Admiralty had increased the number of boys by 418, and his only doubt was whether we had gone far enough. He even went further, and said that keeping up a large supply of boys could be justified on the grounds of economy no less than of efficiency. With reference to the coastguard, I must strongly object to any reduction in that service, because it is the only reliable reserve we possess. I have great confidence in the Royal Naval Reserve, and I know it to be an effective body of men; but the coastguard is a reserve composed of the best seamen in the world—almost every man in it is fit to be a petty officer—and they are bound to come forward in case of emergency, for they are all under martial law. It is not proper to regulate the strength of the coastguard by the number of blue-jackets as my right hon. Friend has done; they were never intended to take the place of the blue-jackets, but to provide petty officers for the merchant seamen, whose services would be required on an emergency. My opinion is that any reduction of that force will be attended with danger. The next saving is effected by means of diminishing the number of officers' servants, and supplying their places with 500 Marines. That was one of the questions which I had under consideration during the time I held Office; but objections were urged against it, in the strongest possible manner, by my two senior naval Colleagues, and the Deputy Adjutant General. I confess, therefore, I am surprised to hear the proposal made by my right hon. Friend, for I can scarcely believe that Sir Sydney Dacres now consents to it. It was represented to me that the proposed change, though it might be palatable to the men, was considered objectionable by the officers, who thought that it would derogate from the high position of the corps. On a question concerning the economy of ships-of-war, I thought I ought to pay great deference to the opinions of my principal naval advisers, and I therefore altered my intentions accordingly. At the same time, it is a subject on which much difference of opinion exists in the service. Some officers—and among others my gallant Friend and late Colleague, the Member for Stamford (Sir John Hay)—think the change will be an improvement. I shall only add that I hope it has been well considered, and has not been proposed for mere economy's sake. It would be a grievous error if, for the sake of a paltry saving, the efficiency of that magnificent corps should be endangered. A very serious question, on which my right hon. Friend has given us a clear statement, is as to the reforms in the departments at Whitehall and Somerset House, and elsewhere. That is a question into which I am not at present prepared to enter. It deserves very careful consideration. I confess my own impression is that a great many of the changes introduced by my right hon. Friend will not be found to operate for the advantage of the service. Perhaps, so long as there is no particular pressure upon the Department, no great inconvenience may be felt; but I do not think the large reduction in the number of clerks, and the throwing of an enormous amount of work on individual members of the Board, will be found to answer in times of emergency. I greatly fear that the Admiralty would be found, for the first time, notwithstanding all that has been said against it, unequal to the occasion, and that the navy would be exposed to the risk of misfortunes such as those which befel the sister service in the Crimean War. I think some of these reforms have been made rather hastily; but I should prefer to consider carefully what my right hon. Friend has told us as to his intentions and objects, and to discuss the subject on another occasion. I see in the Vote for Somerset House that many of the establishments are still under revision; and I hope before we are called upon to pronounce an opinion upon the proposed change the whole of the scheme will be before us. The reduction in the amount of wages to artificers in the dockyards is owing principally to the closing of Woolwich Dockyard, in respect of which I will only say, at present, that I think it has been premature. No doubt the Dockyard Committee, in the Report quoted by my right hon. Friend, unanimously recommended the closing of Woolwich Dockyard; but I think my right hon. Friend will find that that resolution was qualified by myself and others, who thought it would be time enough to close Woolwich when the extensions at Chatham were completed. That has not been accomplished yet; and it would be very unfortunate if, on the breaking out of a war, we found ourselves without an establishment on the Thames, or in its neighbourhood, where the engines of ships-of-war could be repaired. The mere power of re-taking the yard which my right hon. Friend intends to reserve would avail very little in a sudden emergency; because, as the docks and workshops would probably be occupied by ships and engines under construction and repair, a considerable time must elapse before it could be handed back to the Admiralty, and it could not be re-established for months, and probably not under a year. The reduction in Vote 10 section 1, I presume arises from the discontinuance of Woolwich Dockyard, and the consequent distribution of its stores amongst the other yards. I am not prepared to say whether the reduction of Vote 11 is a wise measure or not. The principal expenditure under that head, exclusive of the expenditure on the great extensions of the dockyards, is on account of repairs. There is an old saying, "A stitch in time saves nine;" and I hope my right hon. Friend's economy in this respect may not lead to a much larger expenditure by-and-by. I will not, on this occasion, enter into a further consideration of the Estimates, but will wait until the Votes are put from the Chair, when I shall be prepared to state my views and opinions upon them. There is one point, however, upon which I must not only express my decided opinion, but also give notice of an Amendment—I allude to the proposal to build the two larger turret-ships which my right hon. Friend has described. I have already stated that it was not my intention, if I had remained in Office, to lay down any armour-clad ships during the present year, because the *Captain* and *Monarch* are so near completion that I thought it better to wait until they had been tried, and the merits of the turret principle tested at sea. I have been very soundly abused about turret-ships; but I can assure the Committee that no one is more anxious for their success than I am. In 1865 I brought the subject specially before the House. I blamed the Admiralty for what I called its supineness in ascertaining by experiment the fitness of turret-ships for service as cruizers, and after that the two turret-ships, now nearly completed, were laid down. But whether I was right or not a year or two years ago, the matter is in a very different position now, when we are within two or three months of the time when the *Captain* and the *Monarch* will be tried. I do not care whether those ships fail or succeed—that makes no difference so far as this question is concerned. If they fail, there is an end of the matter for the present; if they succeed, a great number of alterations of different kinds will necessarily suggest themselves for adoption. And not only do I object to laying down these ships at present, but I am also very strongly opposed to the particular description of ships proposed to be built. They are to be deep vessels, drawing twenty-six feet water, with twin screws, and without masts. If I were at the Board of Admiralty nothing would induce me to build such vessels. Nothing would induce me to send a vessel to sea as a cruizer without masts. These ships, according to my view of the case, are therefore unfit for sea-going purposes, and it is thoroughly recognized by every authority, and it was specified in the Report of a Committee which sat on the subject, that no vessel for coast defence ought to draw more than sixteen feet water. These vessels, then, will, according to my view, be unfit for coast defence and for sea-going purposes. They are, indeed, to carry an enormous quantity of coals. But suppose anything were to happen to their shafts, or other parts of their machinery, they would lie on the water like half-tide rocks. I also think it very undesirable to build a deep vessel for twin screws. The result of recent experiments in that respect has not been satisfactory; and in a scientific point of view it has been ascertained that, although the twin screw may answer to a certain extent in vessels of light draught, it is not suited to those of a deep draught of water. Under these circumstances, I think it very indiscreet to build these ships at present. There is no person in or out of this House who has been more anxious to see the turret principle fairly tested at sea than I am, but I deny that it has been so tested, and therefore I think it most desirable that the *Captain* and the *Monarch* should be tried at sea before any more sea-going turret-ships are laid down. So strongly do I object to these two vessels that, though very sorry to make any Motion of the kind, I must give notice that when we come to the Vote for the purchase of Stores I shall move that it be reduced by £40,000, for the purpose of raising the question whether they shall be built or not. If my right hon. Friend tells me that the designs for these ships shall not be approved until the *Captain* and the *Monarch* shall have been tried, or if he says that the money shall be applied in some other way, I shall be content to withdraw my Motion. But if I receive no assurance of this kind, I must divide the Committee with the view of stopping the construction of these ships. With these remarks I shall conclude, reserving the further observations I have to make until the Votes are put from the Chair.

Colonel SYKES said, he had been looking forward with considerable curiosity to the statement of his right hon. Friend the First Lord of the Admiralty to see whether the pledges which he had given to his constituents would or would not be redeemed, and he did not hesitate to say that they had been satisfactorily redeemed. His right hon. Friend deserved the greatest credit for the moral courage he had displayed in undertaking his unpleasant task, as he knew he was exposed to the odium of his own Department and to the censures or sarcastic comments of part of the Press for what he proposed to do. Such a man was worthy of the confidence of his country and of his Colleagues. He was happy to say that among the reductions proposed to be carried out his right hon. Friend had not forgotten his own Department. Last Session he (Colonel Sykes) drew the attention of the House to the annual increase of the Vote for the Admiralty, and showed that for seven out of the last ten years there had been an annual increase for the Admiralty establishment. For 1867-8 there was an increase of £2,363, and in 1866 it was £7,352, the total increase in the seven years being £40,391. But now, for the first time within his memory, there was a diminution of such an amount as £13,000 in the Vote for the establishment of the Admiralty, and he hoped that was only an instalment of the £40,391. His right hon. Friend also deserved praise for the reduction of our squadrons dispersed over all the seas of the globe. Setting aside all consideration of expense, on grounds of humanity alone the reduction of the squadron on the west coast of Africa had been frequently advocated. His right hon. Friend had reduced the ships there very considerably, but as the slave trade had ceased, nothing was now to be done but to protect our trade, and he did not hesitate to say that for that purpose five ships would be amply sufficient. Last week he received a list of the names of the ships and their disposition in the China seas, and he made them out to be forty-two, including store-ships, instead of thirty-four as mentioned by the First Lord of the Admiralty. Of these, thirty-one were in harbour, and only one cruizing, so that his right hon. Friend would see that a reduction might very easily be made in that branch of the public service. There was one thing in which he could not concur, and that was with regard to the protection of the Persian Gulf. That was an inland sea, and the whole coast, on the Arabian and Persian sides, was dotted with little independent Arab chiefs, all of whom were usually at loggerheads with each other. Formerly, when the local marine of India had charge of the Persian Gulf, the whole of the officers were acclimatized and were also qualified as linguists to communicate with the Arab chiefs and settle their differences for them. English post-captains certainly could not do that, and he was sorry that the Government had discarded the idea of having a local Marine force stationed in the Persian Gulf—a measure which would be better for the health of our officers and men, for our diplomatic relations with the petty chiefs, and also for the public Exchequer. In conclusion, he congratulated his right hon. Friend upon his statement, and trusted that he would go on treading the same path in which he had taken so great a stride on the present occasion.

Sir JAMES ELPHINSTONE said, it appeared to him that in framing these Estimates his right hon. Friend at the head of the Admiralty had been guided by this consideration — In all probability the new Government when it came into Office found it absolutely necessary to do something, and consequently they "took a pen and wrote down quickly" the sum they wanted to cut down. It seemed as if the Estimates were to be kept below £10,000,000; and so, by cutting down here and cutting down there, they had been reduced to £9,996,000. The late First Lord of the Admiralty (Mr. Corry) had pretty conclusively shown that every reduction had previously been made which was conducive to the public service. With respect to the changes in the Board of Admiralty, he had himself brought before the House, in February, 1861, a series of Resolutions on the conduct of the Admiralty, and he would refer to those Resolutions to show that the present First Lord of the Admiralty, in his recent alterations, had merely taken a corner of the plan which was before the Committee in 1861, and which was well thought of by the House and the country at the time. He claimed no sort of merit whatever for those Resolutions, which had been drawn up by five or six men of the highest position in the Navy, and which, he believed, if fairly carried out, contained the solution of the question. The Resolutions declared, among other things, that, in order to obtain direct personal responsibility, it was essential to abolish the Board of Admiralty, and to substitute for it a Minister of Marine, with a Secretary in that House; that the Minister of Marine should be directly responsible to that House for the conduct and management of naval administration; that he should be assisted by a council of not fewer than four naval officers, whose opinion he might consult, but to whom he was not bound to defer; that the members of the council should be appointed for five years; that each department of the Navy should have a known or acknowledged head, appointed also for five years; that all promotions and appointments should be the act of the Minister of Marine in council, submitted to him through the proper heads of departments, but for which he was personally responsible, and that the following departments were of sufficient importance to require the special superintendence of separate heads—namely, the discipline and training of the navy and general superintendence of the fleet in commission, and the submission of the appointment and promotion of officers, the manning of the fleet, the construction of the navy, the victualling of the navy, the paying of the navy, the controller of the coastguard, the Royal Marines, the medical department, pensions and rewards, the store department, the department of works, the hydrographer, and the transport service. Now, the objection he took to his right hon. Friend's arrangement was that it must break down. The whole construction of the navy lay between the Controller and the First Lord. With all deference to his right hon. Friend, he was not a shipbuilder, and, with all deference to the Controller, he had built some very bad ships. If the whole construction of the navy was to rest between those two authorities the country would be in a dangerous position. At this moment he believed the pressure on the Admiralty was greater than it was during the Crimean War. Reductions had been made in the *personnel*, more especially in the Storekeeper's department, which had been presided over by a man of the greatest ability, but which was now left without a head, and how it was to be carried on he did not know. The whole superintendence of the Machinery department, on which the locomotion of the fleet depended, had been thrown on the shoulders of Mr. Andrew Murray—a man of great ability, but who also had the superintendence of the dockyards, on a miserable pittance that would not be accorded to the foreman of a shipbuilding yard on the river side. He looked forward to a break-down, and was convinced that the alterations at the Admiralty could not stand. In the Committee of 1861 the alteration of the Patent of the Admiralty was discussed at very considerable length, and the reason why the Committee did not report was because there were five Members who had been First Lords upon it. The right hon. Member for Droitwich was the most advanced of the five, and would have consented to some alteration, but the other four—and especially the late Sir James Graham—were opposed to any change in the wording of the Patent. That Patent on the face of it directed that no change should be made in the Board of Admiralty without the sanction of the Crown. What had drawn his attention to that matter was the issue of the most extrordinary circular which ever came out of a public office. There was in that circular an assumption of authority on the part of the first Lord which was entirely irregular; and he thought it was a great pity at such a time, when a new Parliament had met under such novel circumstances, that they should at once rush into that change. If the Admiralty had taken six months to reflect on the matter, and had come down with a well-considered plan, embodying such a scheme as was generally approved seven or eight years ago, he would have been prepared to support it. As to the general reductions in the service, he thought that in many cases they had been most precipitately and harshly carried out. The number of measures before the House, education and such like, requiring a large staff to work each of them, might have held the hand of Government until offices had arisen in which they could have placed those young men. He had seen more than one case in which young men with relatives dependent on them had been reduced to absolute destitution in consequence of being turned adrift on a very short notice. Then, it was an extraordinary thing that his right hon. Friend should have appointed a new man to an important office. No doubt the gentleman in question possessed great abilities, but his evidence before the Committee had been impugned in almost every important particular. He had carefully read the evidence with regard to Mr. Fellowes, and he found that when the Controller was examined there was hardly a point on which he did not contradict him in a most contemptuous manner, and yet this was the person who was to be appointed to an office the duties of which many young men were perfectly competent to perform. Again, the proposal with regard to Lord Camperdown was, in his opinion, most unconstitutional. Why should a Lord in Waiting be sent down to investigate the condition of our victualling yards? Lord Camperdown was, he believed, a very clever and promising young man, but what on earth could he know about pork or beef, or peas or suet, and the way in which those articles were stowed away in casks and packages, preserved, stored and issued? With regard to the proposal for closing Woolwich Dockyard, he might mention that he was a Member of the Committee which investigated the condition of the dockyards. The whole subject was then very carefully considered, and the Committee arrived at the conclusion that it was absolutely necessary to spend an enormous sum of money in making basins for the ships which, up to that period, used to be fitted out in the stream. The Committee recommended that large basins should be opened as speedily as possible to receive ships at Portsmouth, Chatham, Devonport, and Pembroke. That led to the prospective closing of Woolwich and Sheerness, but Deptford was to be retained as a victualling yard for the purpose of killing and curing beef for the navy, a process which, he was glad to say, had now been brought to considerable perfection. It never entered, however, into the heads of the Members of the Committee that the Government would discharge the men employed in those establishments without providing them with work elsewhere. As the Government paid little or nothing towards the poor rates in the towns where they dismissed large bodies of workmen periodically, they were bound to send those men to some of our colonies, or otherwise provide for them. The Government paid but the merest trifle to the poor rates of the various towns, they did not contribute to the schools, and in a word they did nothing more than an autocratic Government would do. In fact, he believed that, in a matter of this kind, the Government of Russia would act more like Christians than ours proposed to do. About twenty years ago widespread destitution prevailed in the Hebrides, and a society was formed to take measures to alleviate that distress, of which Sir John M'Neil was chairman; they raised subscriptions for the purpose of getting the suffering people out of the country. The Government of the day placed the *Hercules*, 74, at their disposal; she went to Campbelton Loch, in Argyllshire, shipped the emigrants there, and the people were conveyed in that vessel to New South Wales. The present Government ought to act as a paternal Government, and to adopt a similar course with regard to their discharged labourers. The increase of expenditure in the item of wages was owing to the increase which had occurred of late years in the price of provisions and lodging. People were called upon to pay more for their food, clothing and lodging than they were formerly, and the natural consequence had been an increased rate of wages. With regard to the proposed reduction in the number of our cruizers, he would point out the absurdity of attempting to survey the coast of China if the reductions he suggested were made. He knew the coast of China well, and that it was impossible for our wretched gunboats to make way against the monsoon. His hon. Friend the Member for Aberdeen (Colonel Sykes) had asserted that the extent of the coast of China was 2,000 miles, but he was inclined to think that when the indentations were taken into account it was more than 3,000 miles. Then, it was a very rocky coast, fringed with ranges of islands which were complete warrens of pirates. The protection of a coast of that description would require a much larger number of small vessels than his right hon. Friend had any idea of. If the proposed reductions were made two or three British vessels would probably be cut off by the pirates, whereupon there would be a great outcry in this country, and in the end it it would be necessary to send out a large number of additional cruizers. He confessed he hardly understood what the right hon. Gentleman meant by flying squadrons. If there were to be a flying squadron to cruize round the world no doubt that would be a good thing, as a number of officers would be kept in constant employment, and would find out what vessels were good for anything In his judgment, it would be a very impolitic thing to discharge any of our stokers, who, he was convinced, ought to be classed as skilled artizans, and he fully endorsed the opinion of the late First Lord of the Admiralty respecting the measured mile. He would answer for it that the Controller of the Navy would not allow one of his ships to be stoked by a stoker from the shore. He agreed in all his hon. Friend the Member for Aberdeen had said about the Persian Gulf. The officers of the Indian Navy were good surveyors and linguists, and they and the men under them, being thoroughly acclimatized, could carry on operations at any season of the year. He could not see why the Chinese and Indian Governments should not supplement the pay of the Navy. He wished before he sat down to say a word with regard to turret-ships. He was strongly opposed to a low freeboard out at sea. At the back of the Isle of Wight no vessel with that defect could be relied on. Vessels so constructed might get across the Atlantic; but for purposes of warfare they would be found perfectly useless in a seaway, and not one of them when she came into action would be able to keep the water out of her turrets. He also concurred with his right hon. Friend the late First Lord of the Admiralty in the opinion that we ought to have two strings to our bow in the building of our ships. If their engines were disabled—and the finest engines were liable to become disabled—then they might, if they had sails to set, get out of the difficulty.

Mr. SAMUDA said, he had never listened to a speech from a member of the Board of Admiralty which presented such various and important matters for discussion as did the statement which his right hon. Friend at the head of the Department had made that evening. It was impossible to deal with those numerous and important topics on the present occasion. He must, however, express his satisfaction with the general plan which his right hon. Friend had sketched in respect to the economies which he had effected or proposed to effect. There could be no doubt that a vast amount of economy in manufacture must result from condensing the work in the dockyards. But then the dockyards which, in his opinion, we should maintain were those which were least likely to be disturbed in the event of an attack being made upon our shores. Now, Portsmouth did not come under that category, while Woolwich did, for the defence of the capital must certainly include Woolwich; and such a dockyard, as it were, in the very heart of the metropolis, in connection with the great engineering establishments of the country, was of the greatest importance. His impression, then, was that Woolwich, Pembroke, and Chatham were the three dockyards which we should find it most useful to maintain, and it certainly was, he thought, very undesirable to shut up places of which, under certain circumstances, we should have to avail ourselves again. Passing from the dockyards to the building of ships, he was glad to learn that a saving of a million was about to be effected, but at the same time he observed this was mainly attributable to undertaking much less; only three ironclad ships were proposed, instead of the ten which were contemplated last year; and with respect to those three there were some matters to which he wished to call the attention of the Committee. Last year there was a general proposal to divide the building between private and Government yards, which, without having the slightest interested motive in the matter, he looked upon as a wise course to adopt. He was, he might add, extremely glad to find that his right hon. Friend proposed to turn his attention to the construction of turret-ships. But his right hon. Friend's mode of producing these turret-ships was wrong. Last year, after the Admiralty had for a number of years determinedly opposed the turret in favour of the broadside system, a submission was made to the principal shipbuilders of the country, who were asked to furnish their ideas of the description of vessel which they thought best adapted for the service of the country, and it was promised that, whichever proposal was approved of, the proposer should have the opportunity of building the ship at a fair and remunerative price. The builders responded, and the Controller of the Navy then issued a Report, the effect of which was to condemn all the turret-ships proposed, and thereby to set aside the majority of the proposals that were made by the builders. It finished, as almost every submission so made had finished, in the discomfiture of the persons applied to, the Admiralty building something of their own design instead. He had pointed out last year how impolitic was this rejection in favour of broadside vessels of a new type, not one of which was afloat. He had even gone as far as to propose in Committee the substitution of two turret-ships for the vessels proposed, and he believed that the present First Lord supported his proposal. Not six months had elapsed, and now the Admiralty, which prevented turret-ships from being built, when proposed by persons outside that Department, proposed to build three turret-ships themselves. It was not fair that plans, which had emanated from some of the most experienced builders in the country, should be rejected in this way, and the Admiralty were clearly open to the criticism of the hon. Baronet (Sir John Elphinstone), for building a turret-ship of 4,600 tons with 4 feet 6 inches of freeboard, when they had refused last year to build a vessel of 3,739 tons with 10 feet of freeboard, the proposed Admiralty ship being without any masts, while those planned by the private builders had masts which would have brought the vessel into port if the engines were disabled. The experiment which the Admiralty were now about to carry out was much greater than that which they had last year refused to try; and, therefore, believing this—though he approved the principle and had for years advocated the building of turret-ships, and wished particularly to guard himself against expressing any opinion on this new proposal at present—he called on his right hon. Friend not to build them of this exceptional class, and, as a matter of fair play towards those who had been called on by the late Board, to revise the schemes of the builders and adopt them if they were found useful and practicable, as no doubt they would be. It should be remembered that, whatever might be the talent at the Admiralty, the amount of talent outside could never be compared with, but must greatly exceed, that of a single individual there. Passing from this topic, he noticed with satisfaction the determination of his right hon. Friend, in building vessels by contract, to contract only for the fabric, leaving the fittings to be supplied by the Admiralty. This was the best division of labour; and, in a long correspondence with Sir Baldwin Walker in 1861, he had urged this very course as the only mode of obtaining vessels at a reasonable price, but his advice was ignored. In conclusion he could not omit to draw attention to the fact that not a single penny was to be voted for the construction of vessels in private yards, though those yards were in want of work. He did not regard that as wise, for on these private establishments the Government had always had to rely, and would again have to rely in times of difficulty, and no more erroneous policy could be acted on than the withdrawal of all patronage from those whose assistance in times of war the country could not dispense with, and he advised that the Estimates should be revised in that particular.

MR. SCOURFIELD said, he hoped that the First Lord of the Admiralty, who had explained the Navy Estimates with so much ability, would take measures to do away with the restrictions as to period of office and as to rank now existing in respect to the appointment of the superintendents of dockyards.

MR. GOURLEY said, he was, in some degree, satisfied with the reductions proposed to be made, but he trusted that the House would see that the country got full value for the money that was to be expended. To ascertain this, he said, it was necessary to ascertain of what the navy was composed. There are 432 ships of all rates nominally, and 293 in commission, exclusive of those in the colonies; but of the 293, forty-one were steam-tugs, barges, and tenders, and a large number of wooden ships of but little use for actual warfare. The modern vessels were comprised in forty-seven armour-clad ships, twenty-four of which were broadsides; but it appeared from recent experiments at Shoeburyness that those broadsides would be of very little use. Not only were they incapable of being placed alongside a fort armed with modern artillery, but they could not carry more than ten days' fuel. With such a small quantity of fuel it would be impossible in case of war with a maritime State to send them with safety to any distant country. Such were the capabilities of ships for which large sums of money were voted. There was in the Estimates an item of £170,000 for fuel for the Navy, and he suggested that the steam vessels, not being required for hostile purposes in time of peace, should then be only used as sailing vessels. Thus, not only would fuel be saved, but the men on board would be made better seamen. With regard to the transports, he remarked that more men per ton were employed in those vessels than merchant vessels; these when employed by the Emigration Commissioners and the Admiralty were required to be manned with four men for every 100 tons burthen, whereas the Government transports are manned with eight to ten men for every 100 tons burthen, a larger number than what is actually required, costing for the four ships in India and the Mediterranean £200,000 for men, fuel, and provisions. The cost of the coastguard was £700,000, and as smuggling was detected, not by the coastguard, but by the officers of the Inland Revenue and policemen, he thought that a greater reduction of that force might be proposed. It did not appear to him that the reduction on the whole of the Estimates was so large as might have been effected.

Mr. GRAVES said, he thought there was no point of more importance in the statement they had heard than that which related to the constitution of the Board itself. He had heard with a pleasure, which he believed would be shared by those who for years had considered a serious change was required in the constitution of the Board, that the right hon. Gentleman was moving in the direction of personal responsibility, and that there was to be much more direct responsibility than there had been under the old state of things. The responsibility which had been assumed by the right hon. Gentleman the Committee would claim from him as the representative of the Board in that House, and, if it appeared that the Department was not undermanned, they would have to thank him for a valuable change. It was one worthy of a fair trial; and he (Mr. Graves) would always support movements in this direction. He regretted, however, some withdrawal from the position the First Lord took some years ago with reference to boys. On that occasion the First Lord said he looked upon an increase in the number of boys for recruiting the Navy as one of the most valuable propositions before the House, because it would promote not only economy but efficiency. It was, therefore, with regret he (Mr. Graves) heard of the proposed reduction of 400 or 500 in the number of trained boys; and he was afraid that in making his calculation the right hon. Gentleman had omitted the drain that was going on among the boys, as well as the drain on the seamen. He understood that the drain of men was between 4,000 and 4,200, and that there were only about 4,000 to meet the drain. This was the more to be regretted, because high naval authorities held that the best mode of recruiting the Navy was by taking boys from the training-ships, and that a blue-jacket from a training-ship was better than any man that could be brought in through any other channel. Last year he had ventured to suggest that the Woolwich and Deptford Dockyards should be closed, and that Sheerness as well as Pembroke should be included in the reduction; but he did not meet with encouragement, and he was therefore the more pleased to find that to the extent of two yards a reduction had been finally decided upon. Giving full credit for what had been done in this respect, he regarded it only as a first step towards further reduction, which he advocated as an ultimate, but not as an immediate measure, because it was imprudent to make too large a reduction at one time. He was satisfied it could be shown that the expense of managing the yards was out of all proportion to the amount of work done in them. The hon. Member for the Tower Hamlets (Mr. Samuda) had pleaded for Woolwich with some force; but out of forty-seven armour-clad vessels we had only ten that could enter Woolwich for repairs, owing to the limited depth of the water and the size of the gates; and in case of an engagement in the North Sea, or accident there to even one of the smaller class of vessels, it was not to Woolwich, but to the nearest port on the east coast of England or of Scotland, that such a vessel would go for repairs. The proximity of the Woolwich Dockyard to London must make labour more expensive there than elsewhere. Whether the factories should be allowed to remain was a serious question for the consideration of the Government. He hoped, that in the course of next year, a proposition would be submitted for the closing of Sheerness, if not Pembroke. It was gratifying to hear the intention of the Admiralty with regard to shipbuilding this year. Although from time to time endeavours had been made to force the Admiralty to build turret-ships, somehow every conceivable class of ship had been tried in preference, more than one of which had been sent to the West Indies to get them out of sight. It was, therefore, with great pleasure he heard it announced that in the future construction of vessels there was to be a large adoption of the turret system. He presumed this was an indication of the fact that the First Lord was exercising a will of his own, and would continue to exercise a judgment upon all the questions which came before him. But if we were to have vessels drawing 26 feet of water, built on the twin-screw principle and without masts, we were again going on an experimental tack, for we had no instance of the twin-screw being tried in a vessel drawing more than 22 feet of water; and the single vessel of that draught was a failure, according to the testimony of the highest officers of the country to which she belonged. The French had tried the twin-screw principle in one or two vessels of 20 feet draught going to New York, and he believed in these instances it had been successful; but there had been very few instances of its adoption in our mercantile marine, and our shipbuilders were generally pretty wide awake in adopting practical improvements. He would strongly urge that no vessel on the twin-screw principle should be laid down until it had been tried with a greater draught. We have six now building on this principle; in a very short time it will be tested, and surely it would be most prudent to wait a little before rushing further into an untried experiment. We were told we had again come into the front rank of nations in the matter of naval strength; there was, therefore, no great reason for undue haste, and on that account he would urge the building of no more vessels on the twin-screw principle until we had satisfied ourselves that it was likely to be a successful one. He was glad to hear it was proposed that the new vessels should carry coal for ten days' steaming, for the want of carrying power had been one of the great blots on our system. The *Hercules* could carry coal for no more than fifty to sixty hours of full steaming, and she would be overmatched by a vessel of inferior strength and power which could carry double the quantity of fuel. At the proper time he should be prepared to enter more fully into this question.

SIR CHARLES WINGFIELD said, the right hon. Baronet the Member for Portsmouth (Sir James Elphinstone) had complained that India was not charged for the cost of a squadron stationed in the Indian seas. In the interests of the tax-payers of India he (Sir Charles Wingfield) wished to express his belief in the fairness and justice of the arrangement expounded that evening by the First Lord of the Admiralty—an arrangement by which an annual contribution of £70,000 would be levied from India.

MR. BROGDEN said, he had listened with very great pleasure to the speech of the First Lord of the Admiralty. The right hon. Gentleman had displayed a wise discretion in his endeavour to effect an economy in the service over which he presided—an endeavour which he (Mr. Brogden) regarded as an earnest of future results. The country would call for considerably larger reductions than the right hon. Gentleman proposed. In these times of commercial depression and heavy taxation, economy in all Departments of the State was an absolute necessity. In our dockyards especially reform was needed, and whenever the salaried establishment was out of proportion to the labour establishment such a state of things would be open to the suspicion that certain appointments were retained and filled more for the benefit of individuals than for the public interest.

SIR JOHN PAKINGTON: Sir, at this late hour I will not detain the Committee more than a few minutes, but there are one or two points on which I wish to make some observations. We have had a very clear, able, and interesting statement this evening from the First Lord of the Admiralty, and I most willingly join in the tribute which has been paid to him from all parts of the House. In the early part of my right hon. Friend's speech he adverted to the evidence given by me before the Committee on the Admiralty, in the year 1861. That evidence was given under circumstances of some difficulty, but I am bound to say that I have in no degree changed the opinions I then expressed; and my experience as First Lord of the Admiralty since that time has only confirmed me in the conviction that a Board is a bad system of machinery for managing so great and so important a Department of the public service.

My opinion is, that a Minister never acts under that degree of direct personal responsibility which is so necessary for the protection of the public interests when he forms only a member of a Board. I have no hesitation in expressing my approval of the changes which my right hon. Friend proposes to make in the organization of the Board of Admiralty, though of course at this early period it is impossible for me to pledge myself to the details, or to say that the changes which he proposes are those which in every respect I regard as the most desirable. With my right hon. Friend I regret that the Committee of 1861 made no Report, but it must be remembered that, at the end of 1861, the Committee closed its proceedings in the full belief that it would be re-appointed in the following Session, but its re-appointment, unfortunately, was not moved either by the Member at whose instance it was originally agreed to, or by the Member who had presided over its proceedings. But while I give my right hon. Friend full credit in the desire he has shown to introduce economy in the administration, I cannot help thinking that he has been somewhat too precipitate in some of these reductions. For instance, he has altogether failed to explain the desirability of the changes with respect to the clerks at the Admiralty. I myself am afraid that these changes have been made with something like harshness. I speak under correction, for all my information is derived from rumour and statements which have appeared in the newspapers. But if what I hear be true, some thirty or forty gentlemen who have obtained their positions under the competitive system, and who from long established custom have with some reason regarded their positions as affording them a provision for life, have been suddenly informed that their services will be dispensed with after the 31st of the present month. My right hon. Friend, indeed, appeared to think that he has treated these gentlemen with great consideration and kindness, because they were not told that they would not be wanted the next morning. My right hon. Friend, it is true, has told us that they will be re-appointed as vacancies occur, but will this remove the hardship? They will be in the meanwhile deprived of the incomes upon which they have been led to depend, they may have long to wait, and when they return I should like to know if they will receive the increased salaries to which they would have been entitled if their service had been unbroken. I admit that my right hon. Friend is perfectly justified in reducing the public staff if he finds that the work to be done does not require so many clerks, but such reduction ought to be made with a due consideration for the fair claims of those concerned. Such a change should, I think, be introduced more gradually, and be carried out with less harshness to individuals. About the prudence and propriety, moreover, of abolishing the office of Storekeeper General—an office of great importance and which has existed for a long period—I have considerable doubt. With regard to the flying squadron, I did not understand what the ships are of which it was to be composed, or where the squadron was to fly to. My right hon. Friend also stated that certain reserve ships were to cruize at Whitsuntide. I believe they are to go without coal; but I should wish for some further explanation with respect to them. I should like to know in what relation the flying squadron and what I may call the Whitsuntide squadron are to stand in as regards the Channel squadron, which I believe is now at Lisbon? My right hon. Friend the First Lord of the Admiralty did not advert this evening to the changes made at the Admiralty; but I understand that the abolition of the Coastguard Office, or the absence of the officer who was at the head of it, has led to much inconvenience. I want to know, therefore, whether the officer to be appointed to command the Whitsuntide squadron will assume the functions formerly exercised by the officer at the head of the Coastguard Office. There is one other subject to which I wish to advert. After what has passed to-night, I cannot help hoping that my right hon. Friend will further consider the question of the turret-ships. During the course of a long discussion I do not think any hon. Member has expressed approbation of that part of the plan of the Admiralty which has reference to those ships, though very strong opinions have been expressed the other way. I think the observations made on the subject by my right hon. Friend the Member for Tyrone (Mr. Corry) are unanswerable. In the various discussions on the merits of the turret principle I have always advocated as warmly as any one in this House the propriety of making a proper trial of that great invention. Now, I think my right hon. Friend at the head of the Admiralty will admit that the turret-ship, as a sea-going ship, has never been tried. No experiment has as yet been made of a powerful man-of-war on the turret principle as a sea-going ship. In 1865, when I was at the head of the Admiralty, I, in concert with my gallant Friend (Sir John Hay), resolved that Captain Cowper Coles, the inventor of the turret principle, should have an opportunity of building a turret-ship in accordance with his own opinions. He was allowed to select his own builder, and to have the ship constructed as he liked. He selected the well-known Birkenhead firm of Laird, and the *Captain*, which the Messrs. Laird had built for him, was nearly ready to go to sea. [MR. CORRY: She is commissioned.] The *Monarch* also is nearly ready to go to sea. Would it not, then, be better to wait the result of experiments with the *Captain* and the *Monarch*, in order to see whether the turret principle was really suited to a sea-going ship, before going to enormous expense in building other ships of the same class? The value of the turret-ship as a coast defence has been established; but great doubt still exists as to whether the principle is adapted to a sea-going ship.

MR. CHILDERS, in reply, said, it was of great importance that the first two Votes should be agreed to that night. If the Committee passed them he would then move to report Progress. He thanked the Members who had taken part in the debate for the kind manner in which they had spoken of himself personally. As regarded the observations of his right hon. Friend the Member for Droitwich (Sir John Pakington) in respect of changes at the Admiralty, he had in the first place to repeat what he said the other day, that he thought there could be no greater danger in dealing with the case of civil servants than to talk of their having any rights except those which they had clearly by law. [Sir JOHN PAKINGTON: I did not use the word "rights."] He had certainly thought that his right hon. Friend had used the word "rights." He repeated that civil servants had no rights as against the Government but those which the law gave them. One of those rights was, when a reduction was made in a Department and officers were affected by it, to receive the compensation provided for them by Parliament, and beyond that they had in this respect no right. But he quite admitted that, in carrying out a reduction which was for the public interest, the Government should act with every possible consideration towards the civil servants of the Crown, and every endeavour should be made to avoid as far as possible, dispensing with the services of any efficient gentleman who wished to stay in the service. As he had before stated, an inquiry was going on as to the manner in which the details of the reduction in the Admiralty Department should be carried out, and he believed that the result would be a very different one from that which was apprehended out-of-doors. He believed that the great majority of the gentlemen who wished to remain would be afforded an opportunity of doing so. The exceptions would be placed on the redundant list, and when vacancies occurred they would be reappointed to offices of employment. As regarded the Storekeeper General, the head of the Store department would be subordinate to the Controller of the Navy, and not as now on an equality with him; but as the details of this change were being anxiously considered by him and his hon. Friend the Member for Montrose (Mr. Baxter), he hoped the Committee would excuse him if he did not on the present occasion go into particulars as to the exact relations which would exist between the departments. With respect to some remarks made by his right hon. Friend the Member for Tyrone (Mr. Corry) as to the reductions he had contemplated making, he (Mr. Childers) had purposely abstained from discussing intentions, which had never received the confirmation of the late Cabinet, or had been put into shape until the very last moment after the elections. For this reason he must decline to discuss the financial effect of postponing the contractors' instalments, though he was not much in favour of this kind of economy. His right hon. Friend had challenged him upon the reduction in the number of boys in the Navy, and he admitted that a few years ago he had argued that an increase rather than a decrease was required, but as he had shewn the proportion of boys to blue-jackets was now different. The fact was that, whereas in former years the number of boys rated to seamen was less than the annual waste in the Navy, the number of boys rated at the present time was greater than that waste. His right hon. Friend had during the year reduced the boys by 200, and he (Mr. Childers) only reduced them 200 more; so that the difference was hardly worth discussing. It was unnecessary for him to enter more fully into the question respecting the Marines after the observations with which he had interrupted his right hon. Friend. It was also unnecessary for him to advert further on that occasion to the turret-ships, seeing that the right hon. Gentleman had given notice of a Motion on Vote 6, which would raise the question respecting these vessels most distinctly. In answer to the hon. Member behind him (Mr. Gourley), he had to state that the whole cost of the Indian transport ships which this country had to bear was £10,000. The hon. Member for the Tower Hamlets (Mr. Samuda) had imported into the discussion the question whether Portsmouth and Sheerness Dockyards should not have been given up in place of Deptford and Woolwich, but he must leave the respective representatives of those places to defend them. For his own part, he had thought it safest to adopt the recommendations of 1864 upon that subject. In defence of the appointment of Mr. Fellowes, which had been attacked by the hon. Member for Portsmouth, he had to state that that gentleman had before the Committee of last Session shown such an extraordinary knowledge and acuteness in dealing with the dockyard accounts that he was well worth the salary he received; certainly no one of the reduced junior clerks could be compared with him. Having answered to the best of his ability the principal questions that had been put to him, he would now ask the Committee to pass the Vote for Men, Wages, and Victuals, and he would then move that Progress be reported.

Mr. CORRY said, that he did not in the least blame the right hon. Gentleman for paying the instalments on the contract ships and engines as far as he could during the present year; but he himself had been placed almost under an injunction by the late Chancellor of the Exchequer not to pay them during the present year. Therefore, while the expenditure would have been less during the present financial year by these sums, the Estimates would have been larger by them next year.

Vote *agreed to.*

(2.) £2,762,353, Wages to Seamen and Marines.

(3.) £1,172,268, Victuals and Clothing.

Mr. CORRY asked whether the right hon. Gentleman could inform him whether he intended to take any more Votes before Easter?

Mr. CHILDERS said, he was scarcely competent to answer that question, but he might say that no more Votes on these Estimates would be taken before that day fortnight.

Votes *agreed to.*

(4.) £366,545 5*s.* 6*d.*, Excess of Naval Expenditure, 1867-68.

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again upon *Wednesday.*

MUNICIPAL CORPORATIONS (METROPOLIS) BILL.

On Motion of Mr. Buxton, Bill to provide for the establishment of Municipal Corporations within the Metropolis, *ordered* to be brought in by Mr. Buxton and Mr. Thomas Hughes.

Bill *presented,* and read the first time. [Bill 39.]

CORPORATION OF LONDON BILL.

On Motion of Mr. Buxton, Bill for the creation of a Corporation of London, *ordered* to be brought in by Mr. Buxton and Mr. Thomas Hughes.

Bill *presented,* and read the first time. [Bill 40.]

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 9*th March,* 1869.

MINUTES.] — Public Bills — *Withdrawn* — Lord Napier's Annuity (15).

LORD NAPIER'S ANNUITY BILL—[No. 15.]

(*The Duke of Argyll.*)

BILL WITHDRAWN.

The Duke of ARGYLL said, he had on a former evening introduced a Bill to enable Lord Napier of Magdala to enjoy his salary as a member of Council in Bombay, notwithstanding his receipt of a pension from the Crown; but he now begged leave to withdraw the measure, inasmuch as he found that, in consequence of its being a money Bill, it must originate in the other House of Parliament.

Bill (by Leave of the House) *withdrawn.*

MISSIONARIES IN CHINA.

QUESTION.

The Duke of SOMERSET: In putting the Question to the noble Earl at the head of the Foreign Office respecting Missionaries in China, notice of which has been on the Paper a few days, I wish to observe that the delay which has taken place is due to the rule recently adopted with regard to Questions. I think your Lordships are subjected to some inconvenience in consequence of there being no time set apart, as there is in the other House of Parliament, for the asking of Questions. By the present arrangement it is necessary to put on the Paper the Questions which would give rise to controversy. I do not object to that; but I think there should be a time at which Questions which are not likely to lead to debate may be put.

Earl GRANVILLE explained that the recommendation of the Committee was that Questions likely to lead to debate should not be put without notice, and before a quarter past five, as had frequently occurred previously.

The Duke of SOMERSET: My Lords, I believe my Notice raises a very important question. In one of the Papers lately presented to Parliament relating to China, your Lordships will find it mentioned that there is a society called the China Inland Mission,—and I confess that when I found there was such a society, I was not surprised at what has followed. The society sent a missionary to the town of Yang-chow, not far from Nankin; an outrage occurred; the mob rose and great violence was committed. Then, in the usual course of things, a naval force was sent for and came; and after some little remonstrance the Chinese, as soon as they saw there was an effective force, gave way. I found it also stated, that when the consul came with the naval force the people received it willingly, and it produced a very good effect, but it produced that effect not on account of any feeling for the missionary, but because a great many dollars were spent in the town by the crews. Now, what I wish to ask is,—what right have we to be sending inland missions to China—what right have we to be trying to convert the Chinese in the middle of their country? It is well known that we cannot stand such a mode of proceeding in our own towns. If a preacher goes to Birmingham and proclaims his notions about Roman Catholicism or Protestantism, we all know what happens. First of all a mob breaks the windows, then they break each other's heads, the police and military are thereupon called in, and after a great deal of noise the two parties retire with their heads broken and their Christianity very much impaired. If that happens among a population so intellectual and so sensible that we call upon them to decide upon all questions of State policy and religion, what can be expected from such people as the inhabitants of Yang-chow? Why, of course they cannot stand what they regard as such a provocation, and they rise up and are furious. They must have remembered, too, what happened in their country twenty years ago. They were then visited by an adventurer calling himself a "Follower of Jesus," who raised a great mob, entered their towns by force, and killed men, women, and children in the most cruel manner. When I was at the Admiralty I saw many officers, who gave me an account of the state of the districts in China which had been overrun by these so-called Followers of Jesus, and it is impossible to conceive anything more horrible. It is no wonder that when these people found that there was again among them a set of foreigners calling themselves by the same name, they should become excited; and I say it is most unjust and unfair that the English naval power should be employed to support them. I find no fault with the despatch of my noble Friend the present Secretary of State for Foreign Affairs, or with the despatch of Lord Stanley, except that they do not go far enough: but I believe that we ought to adopt some more effectual measure in order to put a stop to these outbreaks. The English Minister and the French Minister insist on our treaty rights, and I believe it is more the wish of the French than of the English Minister that certain rights should be given to missionaries. The Chinese Minister, on the other hand, remonstrated that such proceedings would be productive of great disturbance of the public peace and of much misery. In fact, the papers represented him as using a very good argument. Whether he really used it I cannot say, but he is reported to have said—

> "Here are you, the representatives of the most powerful and wisest nations in the world. You have come here as friends in everything else, but you differ in your Christianity. Now, as you are so wise and such good friends, why could you not settle among yourselves which is the true form of Christianity before you distract our country with your rivalry?"

It appears to me that the disciple of Confucius has in that way put a question to which it would be very difficult for either the English Minister or the French Minister to give a satisfactory answer. I have a decided objection to this system of supporting missionaries in the interior of China. I object to it because it is unfair to the Chinese, and I object to it because it places the commanders of our naval force in a most unfavourable position. Their business is to look after pirates, but a missionary is insulted, and, pending satisfaction from Pekin, they are pressed to use their Armstrong guns and fire on the people, as the only way of saving the life or the property of the missionary. Now, a young officer thinks nothing of taking a Chinese town with a gun boat. He is delighted with the task; with fifty or sixty men he will take any Chinese town; next the dispute has to be referred to the Government at Pekin. But these proceedings are calculated to break up our friendly relations with China, and those relations surely ought not to be allowed to depend on the discretion of a missionary or on the patience of a mob. My noble Friends, now in Office, wish to reduce the navy in China. Now, if you reduce your navy you must reduce your missionaries, for every missionary almost requires a gunboat. The fact is, we are propagating Christianity with gunboats; for the authorities of inland towns know perfectly well that if they get into trouble with the missionary a gunboat will soon come up. In pursuing a course towards a weak country which we could not possibly take towards a more powerful one, it seems to me we are entirely wrong. The Chinese, it appears from these Papers, dislike the French missionaries as much as they do the English; they turn the French missionaries out of the town, and they knock the English missionaries on the head; so that there is perfect religious equality. It is true we desire to advance Christianity in China: but my noble Friend (the Earl of Clarendon) is quite right in saying that Christianity can only go in the wake of civilization and progress. It is true you may easily get a certain class of Chinese to be converts to Christianity; there are plenty of Chinese who will be converts to anything in the shape of dollars; but really to make China a Christian country must be a work of time, and the way in which we are proceeding is not the way to do it. Why, what is the example we set? Suppose a Chinaman asks what effect this new religion has upon the people, and goes to Shanghai to see, what does he behold? Naval and civil officers who are acquainted with all the chief ports in Europe, America, and Asia inform me that, though seaport towns are not usually very moral places, there is no such sink of iniquity as Shanghai. And yet you expect that, having seen your example, and how you force Christianity on by gunboats and Armstrong guns, the Chinese will embrace Christianity! We ought, I contend, to recall these inland missionaries. My noble Friend, I am aware, is not responsible, for he gives very good advice; but that is one of those things which are readily given and hardly ever taken, and the missionaries do not take it. A missionary, indeed, must be an enthusiast; if he is not an enthusiast, he is probably a rogue. No man would go and live up one of those rivers and preach Christianity unless he were an enthusiast, and being an enthusiast he is the more dangerous. Now, I am anxious to know what chance we have of reducing these missions, or, at least, of not allowing them to go still further up the country. They have already got as far as Yang-chow, and I am afraid they will go further up the country unless they are stopped, and the further they go the more it will be prejudicial to the interests of Christianity. It may, perhaps, be said that they go at their own peril; but this is not the fact, for if a riot occurs and a missionary injured or killed a naval force is called on to interfere, unless Pekin is so close at hand as to allow time for an appeal to the Chinese Government. Nobody is so much responsible for this mischief as the London Missionary Society, and that society had much better send its missions to some other part of the world, and leave China unconverted, than pursue their present course. He wished to know whether the Government would not adopt some more efficient and stringent mode of dealing with these missionaries, either by sending them out of the country, or by telling them that they should go no further and imperil our friendly relations with China by their proceedings?

The Earl of CLARENDON: I feel much obliged to my noble Friend the noble Duke for having brought this question before your Lordships, for it is one of growing and pressing interest, and it is right that the public should know exactly what is the policy of the Government, and how far we propose to deal with the present most unsatisfactory state of things. A blue book upon China, not being very attractive, I dare say very few of your Lordships have read the Papers which have lately been laid on the table, and probably the general public know still less on the subject than your Lordships. The interpellation, therefore, of my noble Friend is likely to prove useful, by enabling me to draw the attention of your Lordships and of the public to some passages in the Papers which have been recently presented. I cannot quite agree with the alternative proposition put by my noble Friend, that a missionary must be either an enthusiast or a rogue. That, I think, is rather too strong. I cannot help admiring the spirit which animates missionaries, and the fearless zeal which animates them in the propagation of religious truth. At the same time, I admit that that zeal often leads them to incur most unnecessary dangers, and creates a state of ill feeling, riot, and bloodshed such as ministers of peace and good-will among men should be the last to create, or to be responsible for. In truth the missionaries require to be protected against themselves, and should be induced not to prosecute their labours in localities in the interior of the country, where no consul resides, and where an appeal to the authorities for protection against a fanatical mob is likely to be unavailing. The London Missionary Society suggested last year that in any new treaty to be negotiated with China there should be an article empowering missionaries to purchase lands and reside in the interior. That was referred to a gentleman, whose knowledge and experience of China may be relied upon (Sir Rutherford Alcock), and who pointed out that, in the first place, such a clause is unnecessary, since the right exists under the French treaty, and, in the next place, that it would be very inconsistent with wisdom or prudence to insist upon it. My noble Friend has referred to one or two cases to show that it would be most unsafe to extend missionary establishments in that country. The fact is quite plain that, not only the authorities and influential persons, but the whole population of China are adverse to the spread of missionary establishments. It is not only most dangerous for the missionaries themselves, but it is much to be condemned with respect to the Government and people of the country. The course of things is exactly what my noble Friend has described. An outrage occurs, life is jeopardized, blood is shed, property is sacrificed, an appeal is made to the nearest consul, who straightway calls to his aid the nearest naval commander, and gunboats go up to exact reparation. The consequence is that we never know what tidings the next mail may bring us, and we are always on the brink of a war, not on account of the violation of any British rights, of any insult to the English Government or flag, or of any injury done to commerce, but on account of the protection of good but imprudent men, who cannot or will not perceive the natural consequences of their own acts. This is a situation of affairs which certainly ought to be altered, and I will call your Lordships' attention to one of the most recent Instructions with reference to the employment of gunboats, which was sent to Sir Rutherford Alcock on the 28th of January—

> "You will have seen by my despatches of the 30th of December and of the 13th and 14th of January that Her Majesty's Government attach the greatest importance to this point; and I have accordingly to instruct you to explain to Her Majesty's Consuls that the special purposes for which Her Majesty's ships of war are stationed in the ports of China, and employed on the coasts, are to protect the floating commerce of British subjects against piratical attacks in Chinese waters, to support Her Majesty's Consuls in maintaining order and discipline among the crews of British vessels in the respective ports and in

cases of great emergency; to protect the lives and properties of British subjects if placed in peril by wanton attacks directed against them either on the part of local authorities or by an uncontrolled popular movement. As regard this last point, Her Majesty's Consuls must constantly bear in mind that the interference of naval force, either on their representation or on the part of naval officers acting on their own estimation of facts before them, will alone receive the subsequent approval of Her Majesty's Government when it is clearly shown that without such interference the lives and properties of British subjects would, in all probability, have been sacrificed; and even in such a case Her Majesty's Government will expect to learn that the alternative of receiving them on board ship, and so extricating them from threatened danger, was not available. Beyond this the circumstances of the case must be of a very peculiar nature which would be held by Her Majesty's Government to justify a recourse to force. Her Majesty's Government cannot leave with Her Majesty's Consuls or Naval Officers to determine for themselves what redress or reparation for wrong done to British subjects is due, or by what means it should be enforced. They cannot allow them to determine whether coercion is to be applied by blockade, by reprisals, by landing armed parties, or by acts of even a more hostile character. All such proceedings bear more or less the character of acts of war, and Her Majesty's Government cannot delegate to Her Majesty's servants in foreign countries the power of involving their own country in war."—(No. 2, 1864; No. 24.)

Those instructions will be rigidly adhered to by the Government, and the Admiralty have sent similar directions to all the naval officers in command, not only in China but in different parts of the world. With regard to reducing the number of missionaries, my noble Friend must be aware that the Government is not precisely responsible in that matter, and that if missionaries chose to go or stay there our power of evicting them from China is small. My noble Friend having passed severe strictures on the London Missionary Society, I would call his attention to a letter dated the 5th of February, which was received from that society, and which I must say is a very proper one on their part, and evinces a disposition to co-operate with us, or, at all events, not to embarrass affairs. The latter part of it reads thus—

> "The directors of the London Missionary Society would be glad to ascertain from your Lordship the views which Her Majesty's Government now hold of the range within which, according to existing treaties, missionaries in general may freely move. Because, while the opportunities for their usefulness have grown great and numerous, the directors are anxious that the operations of the missionaries of the London Missionary Society shall be so conducted as in no way to embarrass Her Majesty's Government, or even inadvertently to complicate the relations between the two Empires. That is the only ground on which they would venture to trouble your Lordship in the matter."

That letter evinces no disposition to embarrass the Government, but, on the contrary, evinces some of the spirit which my noble Friend is desirous to evoke. The society also asked what interpretation I should put on our treaty rights, and I had a reply sent in these terms—

> "Lord Clarendon is not prepared to place any abstract construction on those treaty provisions. So much must always depend on the circumstances under which, and the grounds on which, treaty privileges are claimed, that specifically to define the practical extent of any such privileges would be more likely to mislead than serve as a sure guide for action. Lord Clarendon considers that in all cases of a doubtful nature, where a British missionary desires to receive counsel or directions, his safest course would be to apply to Her Majesty's Minister at Peking, and be guided by his advice. This course is more particularly to be recommended at the present time, inasmuch as it is clear that a strong feeling prevails among the authorities and people of China against the establishment of mission-stations in the interior of the country; and it would be highly imprudent in missionaries to persist in disregarding the opposition either of the Chinese authorities or people, and braving their animosity, however unjustifiable or misplaced. It is impossible for Her Majesty's Government to protect a missionary establishment in places where no consular authority is at hand to require the local authorities to exert themselves in its defence; and it is no less impossible to suppose that the feelings of Parliament would be enlisted in favour of measures of coercion to avenge a wrong done to missionaries, which, even if they did not end in war, would, for a time, at least, paralyze British trade, and might be open to much question in point of justice as between country and country. The London Missionary Society can, in Lord Clarendon's opinion, render no better service to their missionaries than by inculcating on them circumspection in regard to their own conduct, and the utmost consideration for the feelings and character of the people among whom they dwell. The missionaries will do well to follow in the wake of trade when the people have learnt to see in it material advantage to themselves, rather than seek to lead the way in opening up new locations. In the former case they will find people prepared to receive and listen to their instructions; but in the latter there is too much reason to believe that their proffered instruction will be rejected, and their persons exposed to indignity, and even danger."

I have now stated the policy which Her Majesty's Government propose in future to observe, and I trust that the advice I ventured to give to the London Missionary Society, coupled with the disposition they have manifested to avoid embarrassment to the Government, will be sufficient to prevent further difficulty.

If, however, it should turn out otherwise, the fault will not rest with the Government.

THE BISHOP OF ST. DAVID'S said, that to a certain extent he agreed with the noble Duke (the Duke of Somerset) —namely, to the extent that the proceedings to which he had referred were not at all calculated to promote the interests either of Christianity or of England in China; but he thought the noble Duke had proceeded on a hasty assumption in one part of his speech. He (the Bishop of St. David's) could not admit that there existed among the Chinese population so general an aversion from the Christian religion, and so general a spirit of resistance to all attempts to propagate it, as the noble Duke had described. Unless he (the Bishop of St. David's) was greatly mistaken, and unless a bulky volume which he read some time ago was a tissue of fictions, there existed in China a flourishing Roman Catholic mission with a large number of converts, who lived very peaceably, and who, though they were continually extending their religion, met with no resistance, and excited no popular tumult. If so, he would appeal to the noble Duke whether it was not natural that the professors of what they believed to be a purer kind of Christianity should feel a generous and noble spirit of emulation, and desire to gain similar conquests for the Protestant Faith? It appeared to him that there was a very clear and broad line of distinction to be drawn in this matter, and which, as he understood, had been observed by Her Majesty's Government. We ought not, he thought, to attempt to impose any positive restraint on missionary efforts either in China or in any other part of the world. There were persons who were convinced that it was their duty, in obedience to our Lord's plain precepts, to preach the Gospel to all nations, and they were ready to make every sacrifice to that object; and, instead of being subjected to any restraint they should be simply given to understand that they must proceed at their own risk. All that the Government should say was, "If you choose to make the attempt you must make it at your own risk; you must not expect that you will be able to call in the secular arm to enforce, or supply any deficiency in your missionary efforts." The missionaries, and still more the society to which reference had been made, had, in his opinion, incurred a serious responsibility, and, if not guilty of something worse than a mistake, were at any rate guilty of a very mischievous mistake if they had so misapprehended the proper field of their exertions as to excite the hostile passions and violence of a Chinese mob. He did not believe this could be in any case necessary for their purpose, but, on the contrary, that it must tend to defeat the object they had in view. He believed that with prudence and common sense it would always be found possible to save the British Government from the necessity of interference in such cases without at all neglecting, but, on the contrary, promoting much better than they now did, the work of the propagation of the Gospel.

THE BISHOP OF PETERBOROUGH said, he rose to ask for an explanation of one or two expressions that had fallen from the noble Duke and the noble Earl, affecting, as it seemed to him, the position of all missionary societies and of all missionaries labouring in the less civilized parts of the world. The noble Duke (the Duke of Somerset) had given a piece of advice to missionaries which he thought no missionary would accept—namely, to leave some particular parts of the world unconverted, or flee from attempts to convert them, because, forsooth, these attempts might prejudice the interests of British trade. The youngest and least zealous of missionaries would probably reply that, important as were the interests of British trade, there was something in his eyes more sacred even than that sacred opium trade for which Great Britain once thought it worth while to wage war—namely, obedience to the command of his Master to go forth and seek to convey the Gospel to every living soul, at whatever risk to himself or others. It was hardly generous for one in the safe security of their Lordships' House to taunt a man who voluntarily took his own life in his hand in encountering barbarians with imperilling the interest of English trade, for, whatever else he imperilled he had first imperilled his own life. He would like to learn what course the noble Duke would take with rebellious missionaries who might refuse to take his advice. Would the noble Duke, who was anxious for stringent measures, propose to save a Chinese mob the trouble of executing or expatriating the missionary, or would he, as a member of a Christian Legislature, maintain that by becoming a missionary he lost the rights of British citizenship, which he would retain if he became a trader? English subjects, as he understood, possessed rights under treaty, and provided they did not transgress the limits imposed by the treaty they were equally entitled to protection, whether they sold cotton or Bibles. It was surely unworthy of a Christian nation to say that if its subjects engaged in any trade, however demoralizing, they should be protected from the least infraction of their rights, or from the least insult, by all the might of Great Britain; but that, if they became missionaries and happened to displease the susceptibilities of the Chinese, they should be left to their fate, or saved from the mob by a forcible expatriation. He admitted, on the other hand, that it was not desirable, for the sake of the missionaries themselves, that they should go out with an army at their back, for that would make them reckless, unspiritual, and untrue to the spirit of their Master. It was one thing, however, to say what a missionary ought to do for the sake of the cause of missions, and quite another thing to say what treatment he should receive at the hands of his own Government, which was surely bound to maintain the rights of its citizens, whether missionaries or traders. He protested against the doctrine apparently laid down by more than one speaker that, because a man was a missionary, he was, therefore, to be deprived of his rights as a British subject. The noble Duke had advocated stringent measures towards troublesome missionaries, but had such a course been always and successfully pursued; had missionaries been always prevented from becoming "troublesome," neither the noble Duke nor himself would have been Christians at the present day. The noble Earl, the Foreign Secretary, had advised the missionaries to "follow in the wake of trade." Perhaps the noble Earl would mention the kind of trade in whose wake they were to follow? There happened to be trades carried on by British subjects, and protected with a high hand by the Government, which would make a most unhappy preliminary to the preaching of the missionary. Were they to "follow in the wake" of the opium trade, or to wait until the beneficient influence of fire-water had prepared the minds of the barbarians whom they were teaching, or were they to wait until the British traders had inoculated them with all their vices before they commenced teaching them the Gospel? Instead of waiting for this the missionary felt that he had a duty imposed on him by a higher Master to go forth and preach the Gospel. He did not defend the indiscretions of any missionary or society, but he earnestly trusted that he had misunderstood what had been said, and that it was not the notion of the noble Duke that the strong hand of Government should be used to suppress missionary exertion, nor that of the noble Earl that the missionary was to go nowhere until preceded by the British trader.

Earl GREY: I entirely agree with the right rev. Prelate that it would be most improper to lay down a rule that one principle should be acted upon with regard to the protection of missionaries and another principle with regard to the protection of traders. Both should certainly be treated alike. But the truth is that in neither case does the country stand with a clear conscience. The fact is that we have abused our superior force, and at one time forced on the Chinese the opium trade in a manner contrary to every principle of justice: we have also protected the abominable coolie trade, and under the shelter of our power we have allowed our merchants constantly and deliberately to infringe the laws of China, and to carry on smuggling and other practices, as well as to force their trade on the Chinese in a most unjustifiable manner. The simple rule that ought to be applied, both to trade and to missions, is that we ought not to attempt to protect English subjects if they choose at their own risk to carry their operations into places where they are likely to provoke riot or hostility. There are certain ports in China where our consuls can exercise authority, though that authority only extends to British subjects; but it is one thing to protect traders at the treaty ports, and it is a totally different thing to say every adventurer or smuggler who may go into the interior and there get into a quarrel with the authorities or the mob may appeal to an English gunboat for protection. Such appeals are far too often made. I respect, admire, and revere those missionaries who go into barbarous and hostile countries and endeavour to diffuse the great principles of Christianity; but if by their own over zeal they incur danger in remote parts I would not protect them. Other people, we must remember, have feelings as well as ourselves. Suppose the Chinese, believing Christianity to be a great delusion and imposture, were to organize missions to convert us, were to establish missions at Wapping or at Birmingham, and other populous towns, and were publicly to preach against Christianity, would there not be a probability of disturbances? Well, should we think it fair and reasonable, if China were a more powerful nation than ourselves, that some collision having taken place, a Chinese force should come and threaten to destroy the town unless full compensation and reparation were made for insults alleged to have been inflicted on their missionaries, and further insisting upon our putting up an inscription saying that we had been properly punished? Yet that is just what we have been doing. What should we think of such a course of proceeding? The first principles of Christianity is to do unto others as we would they should do unto us; but have we acted on that principle in our dealings with the Chinese? I maintain that the system of supporting missions in China or elsewhere by force is entirely wrong, and I am glad, therefore, that the noble Duke (the Duke of Somerset) has brought the subject before us. Nobody can be more anxious for the success of the missionaries than I am; but I am certain that in relying on an appeal to force when their own imprudence has brought them into difficulties, they are doing more harm than good to the cause of Christianity. The instructions which the Government have sent out might, I think, have been a little stronger; but they lay down a wise rule, which more than twenty years ago, when I held Office, I had the honour of enunciating with regard to China — namely, that there should no appeal to force or recourse to arms without the express authority of the Queen. I remember that when an expedition went up the Canton river I consulted the Duke of Wellington, and he was most indignant, fully concurring with me as to the impropriety of our troops being used in that manner. I accordingly sent out imperative orders that nothing of the kind should happen again, and in order to ensure obedience, I so reduced the forces at the station as to render any such expedition impossible. The most satisfactory statement made by the noble Earl (the Earl of Clarendon) was his intention to reduce the number of gunboats, for such is the pressure of British influence that if a strong naval force, is at hand it is extremely likely to be used; while, on the other hand, if we have not enough gunboats to bully the Chinese, both merchants and missionaries will show greater prudence, discretion, and fairness than if they saw themselves supported by a powerful force. I will only add that this discussion has shown the advantage of the rule that Questions likely to lead to discussion should not be brought forward without being placed on the Paper. There can be no objection to a Question on a mere matter of fact being proposed without notice; but if a Question requires a single preliminary observations or explanation notice of it should be given.

THE EARL OF SHAFTESBURY said, he agreed almost entirely with the right rev. Prelate (the Bishop of Peterborough). He had only risen, therefore, to state that those who had occasioned this fuss were a small independent body of men, acting under no central authority, and in no way connected with the great missionary societies of England, such as the Church Missionary, London Missionary, Wesleyan, or Baptist Societies; those great societies, which conducted their proceedings with the greatest zeal and judgment, should, therefore, be exonerated from the charge which had been justly brought against that small independent body.

CRIME (IRELAND).

ADDRESS FOR RETURNS.

THE MARQUESS OF CLANRICARDE rose to move an Address for Copies of Correspondence between the Government and Magistrates of Tipperary relating to ejectments at Ballycohey, and Returns of Crimes furnished to the Judges of Assize by the Constabulary in each County in Ireland. The noble Marquess, having detailed the particulars of the dreadful occurrence at Ballycohey, when Mr. Scully, the landlord, having procceeded with civil assistants, escorted by police, to serve notices of ejectment on his tenants, was suddenly fired upon from a farmhouse, whereby two of the constabulary were killed, and four others of the party, including Mr. Scully himself, were wounded, proceeded to comment severely upon the conduct of the stipendiary magistrate in sending so small an escort of constabulary. Considering the character of Mr. Scully, the notoriety of the intended proceedings, and the known determination of the peasantry to resist, the insufficiency of the escort was calculated to provoke rather than ward off an attack. In contrast with the conduct of the magistrate in this case, he would refer to what was done in another case, when the magistrate not only gave an escort of sixty police, but accompanied them himself; the consequence being that no disturbance took place, and the law was vindicated, without bloodshed. He thought a case of greater indiscretion on the part of a stipendiary magistrate than the conduct which led to the attack on Mr. Scully and party never occurred. When the outrage was reported at Dublin Castle, rewards were offered, and additional police were sent down; but after a short time they were withdrawn, and there soon followed two other murders; one of a gentleman who was killed near his own house because of the decision he had given in an arbitration about a right of way, and the other of a man named Tracey, who was murdered on the highway. Since he had first given notice on this matter he had felt it to be his duty to move for another Return, because the state of Ireland presented the most lamentable condition as regarded crime that had been known for years. It was almost impossible to take up a newspaper without meeting with the record of some fresh outrage, and in very few, if any, instances did the perpetrators appear to be brought to justice. Their Lordships had probably all read of the outrage committed at Mullingar quite recently, in which a station-master was the victim. The disproportion of convictions to the number of crimes committed had lately been made the subject of official comment both in Meath and Tipperary. The want of respect for the law appeared to be confined to no particular county and to no particular locality, and it was therefore very necessary that steps should be taken to enforce the law. He could not help thinking that some of the opinions with regard to the land question expressed in certain high quarters had been attended with the most unfortunate effect. As an instance of the carelessness which characterized some of the remarks made upon this subject, he alluded to the circumstance that, at the late election, for Mallow a legal functionary promised the mob that the land question should be "immediately and satisfactorily settled" in the present Parliament. Such statements could hardly be too strongly deprecated, especially when they remembered what was the nature of a "satisfactory settlement" as viewed by the lower classes in Ireland.

Moved, That an humble address be presented to Her Majesty for, Copies of the correspondence between the Irish Government and the stipendiary magistrate of Tipperary upon the aid to be given to the landlord of Ballycohey to enable him to serve certain notices upon his tenants, and upon the subsequent placing and the speedy withdrawal of extra police upon the townland of Ballycohey; also of any correspondence between the Government and the lieutenant and the magistrates of the county of Tipperary on the same subject: Also, to move for, Copies of the returns of crime furnished to the Judge of Assize by the constabulary of each county in Ireland, and of the criminal calendar of each such Assize.—(*The Marquess of Clanricarde.*)

Lord DUFFERIN: In reply to the observations of the noble Marquess, or rather in reply to his Motion, I can only state that, inasmuch as the correspondence which has arisen out of the unhappy events to which he has called your Lordships' attention is not completed, I do not think that it would be advisable to lay the Papers upon the table of the House. At the same time it is right I should state that, after due investigation, into all the circumstances of the case, it has appeared to the Government of Ireland that Mr. De Gernon, to whom my noble Friend has alluded as the stipendiary magistrate, certainly did misinterpret the letter of his instructions, inasmuch as he did not communicate the letter concerning the removal of the police to all the magistrates of the district. It is a fact that he merely communicated that letter to two or three gentlemen who happened to have been assembled on that day, and in so doing he certainly failed to comply with the instructions he had received. In consequence of this a very natural feeling of dissatisfaction has arisen against him in the minds of the magistrates of the district, and the Lord Lieutenant of Ireland has thought it desirable to remove Mr. De Gernon from that neighbourhood. But, on the other hand, I think it fair to Mr. De Gernon to inform my noble Friend that he has been misinformed. When Mr. Scully applied for personal protection, Mr. De Gernon hesitated to give the protection asked for. I believe the grounds upon which he refused the protection could not be sustained, and the protection was afforded at the instance of the Government of the day in Ireland. As these matters, together with all the proceedings connected with them, occurred under the Administration of the noble Duke opposite (the Duke of Abercorn) I do not propose to follow my noble Friend into the particulars to which he has referred; but I cannot sit down without observing how deep must be the humiliation of every one connected with Ireland on witnessing that country become the theatre of outrages from which for almost fifteen years she has been comparatively free. But, on the other hand, it is consolatory to notice that these offences appear to be very much localized, and to be confined to this particular district. I need scarcely say that the Government are fully alive to the exigencies of the situation, and that they will use all the means in their power to make law and justice respected.

THE DUKE OF ABERCORN: I shall, my Lords, only say a few words upon this Motion, as I am placed at some disadvantage, owing to the absence of my noble Friend Lord Mayo, who is now in India, and therefore have not had the benefit of a consultation with him. But I think I am in possession of some information which will considerably modify some of the remarks made by the noble Marquess. As far as I understand him, the two points to which he principally refers are, first, the action of Mr. De Gernon in giving Mr. Scully insufficient support in serving the notices of ejectment; and secondly, the subsequent withdrawal of the extra police by the Government. Now, with the appointment of Mr. De Gernon we had nothing to do. He was appointed by a Liberal Government. We found him in Tipperary, and we left him there. I must, however, add that all I had heard, up to the time of this outrage, of Mr. De Gernon was to his advantage, and in especial that he had done good service during the time of the Fenian insurrection. The noble Marquess is right in saying that Lord Mayo granted protection to Mr. Scully in consequence of the danger which would probably attend his visit to Ballycohey; but the circumstances themselves are rather different from those stated by the noble Marquess. It appears that, on the day of this outrage, Mr. Scully proceeded with an escort of six policemen to inspect the lands at Ballycohey, and also with some intention, not very fully expressed to the officials, of serving notices of ejectment on some of the tenants. The report made by Mr. De Gernon states that Mr. Scully availed himself of the escort granted for his personal safety for the purpose of serving notices preliminary to an ejectment, and that he persisted in so doing in spite of the warning given him by the constable in charge of the escort, who informed him, when the conduct of Mr. Scully had collected a very large crowd of people, that the force at his command was insufficient for his protection. Mr. Scully notwithstanding entered a farm yard, for the purpose of serving a notice, when a fire was opened upon his party from the roof and walls of the building. It is evident, therefore, that the outrage arose from the rash and precipitate course adopted by Mr. Scully, who persisted in serving the notices in spite of the wishes and representations of the police. I think, therefore, no blame can be attached to the late Government in the matter. As the noble Marquess said, on hearing of the outrage they sent additional police, who remained there until they were withdrawn in consequence of the representation of the magistrates. The noble Marquess alluded to a letter from the Castle. It was written by the gallant gentleman who then filled the office of Under Secretary to the Lord Lieutenant, and I need hardly say that there was no more experienced or more able public servant than Sir Thomas Larcom in any Department of the public service. On receiving the communication from the magistrates the Government had no reason to think there was any dissent from it. Indeed, it was not for five months afterwards and two months from the time the late Government left Office the meeting was held at which it was stated that there had been dissent on the part of some of the magistrates. In justice to Mr. De Gernon, I must say that I think the opinion stated at that meeting may be regarded as an *ex post facto* one. The noble Marquess has alluded to other outrages which have taken place; but as these have occurred since the late Government left Office we cannot be held responsible. I must, however, remark that I think it is a great stretch of imagination to suppose that the withdrawal of half-a-dozen policemen could have any effect whatever in leading to outrages at a distance of twenty miles from the place where those policemen had been stationed. Again, I think no one can accuse the late Government of having condoned outrages or having failed to assert the law. I am sure that if the Papers for which the noble Marquess has moved were laid on the table of the House your Lordships would come to the conclusion that the late Government were not only justified in the course which they took, but that it was the only course they could have taken.

Earl GRANVILLE: As the noble Duke has alluded to the course taken by the late Government in respect of the repression of crime, I may observe that though the present Government are anxious to do all that can be justly expected with a view to conciliating the feelings of the people of Ireland, that does not at all diminish their determination to support the law, to put down crime, and to take every means to bring home punishment to offenders. In their efforts to improve the condition of Ireland the Government look to the people of Ireland to help them; but I think the Irish people must feel how much such deplorable outrages as those which have been alluded to this evening must tend to create in the minds of the community at large an indisposition rather than a willingness to attend to their representations.

Motion (by Leave of the House) *withdrawn.*

House adjourned at a quarter before
Seven o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 9th March, 1869.

MINUTES.] — New Member Sworn — Henry James, esq., *for* Taunton.

Select Committee—Registration of Voters, *appointed.*

Supply—*considered in Committee—Resolutions* [March 8] *reported.*

Ways and Means—*considered in Committee*—Consolidated Fund (£4,506,272, £3,900,000).

Public Bills—*Ordered*—Real Estate Intestacy.

Ordered—First Reading—Representative Peers (Scotland and Ireland) [41]; Marine Mutiny *.

First Reading—Civil Officers (Pensions) * [42].

Second Reading—Sale of Liquors on Sunday (Ireland) [29].

PARLIAMENTARY AND MUNICIPAL ELECTIONS—NOMINATION DAYS.

QUESTION.

Mr. BRYDGES WILLYAMS said, he would beg to ask the Secretary of State for the Home Department, Whether the attention of the Select Committee, appointed to inquire into the present modes of conducting Parliamentary and Municipal Elections, will be instructed to take into their consideration the expediency of abolishing Nomination Days at Parliamentary Elections?

Mr. BRUCE, in reply, said, it would be one of the objects of the Select Committee to inquire into the question of nomination days and the expediency of continuing personal nomination.

GIBRALTAR CONVICT PRISON.

QUESTION.

Mr. HIBBERT said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to the statement contained in the Report on Prison Discipline in the Colonies (1867-8), respecting the Imperial Convict Prison at Gibraltar—namely, that—

> "The building does not admit of separation. The wards, when full, give only 176 cubic feet per head, the hammocks then almost touching. There are but fifteen separate or punishment cells for the 800 prisoners. The water is very impure. The visitors have visited only eight times in five years;"

whether any enlargement or alteration of the Prison has since been effected; and, if not, whether it is intended to continue such Prison as a place of detention for Convicts?

Mr. MONSELL said, in reply, that the statement in the Report on Prison Discipline in the Colonies (1867-8) conveyed rather an erroneous impression with respect to Gibraltar. It would be quite true that if there were 800 prisoners in the convict prison there would be only 176 cubic feet of air per head, but at the time at which the Report was made the maximum number of prisoners was only 390, and the average was 304. The number had now, however, been increased, and there were 525 prisoners. In the last Report made by the surgeon he stated that the health of the convicts was very good, only about 3 per cent being on the sick list. The water, no doubt, was very impure, which was the case generally at Gibraltar; but a Sanitary Commission had been sitting for some time, and they were now boring for water, not only for the use of the convict establishment, but of Gibraltar generally. At the time the Report was made a very unsatisfactory account was given of the way in which the visitors discharged their duty, but new visitors had been appointed, who attended every day, and the last despatches received contained an expression of the Governor's entire satisfaction with the way they discharged their duties. There were no material alterations or enlargements made in the prison, because it had been intended two years ago to get rid of the convict establishment at Gibraltar; that project had been given up, and it had been felt that the Colonial Office had no proper staff at their disposal for the regulation of the establishment. It, therefore, would be handed over to the Home Office, and it would be their duty to consider the requirements of the present establishment and to make whatever alterations they considered necessary in the prison.

IRELAND—THE FENIAN CONVICT MACKEY.—QUESTION.

Sir THOMAS BATESON said, he rose to ask the Chief Secretary for Ireland, Whether Captain Mackey, the Fenian convict, who is reported in the *Freeman's Journal*, the organ of the Government in Ireland, to have received an unconditional pardon from Her Majesty's present Advisers, is the same individual who last year killed a police-constable at Cork, who attacked and set fire to a police barrack at Ballyknockbane and seized the arms of the constabulary belonging to that station, who also attacked and rifled the Martello Tower at Fota in December 1867, and who was implicated in other outrages at Castle Martyr, Knockadoon, Kilmallock, Kilcooley Wood, and elsewhere; whether the said Captain Mackey had, in 1866, been arrested by order of Lord Kimberley, under a Lord Lieutenant's warrant, and had been discharged in the month of April following on his solemnly pledging himself in writing not to return to the United Kingdom; and, finally, whether this man is the criminal who, for these repeated outrages, was, on the 20th of March last, sentenced by the present Lord Chancellor to twelve years' penal servitude—a sentence which the convict admitted to be a most just and lenient one?

Mr. CHICHESTER FORTESCUE: Sir, I am not aware that the Government has any organ, as the hon. Member has stated, in the Irish Press; but with regard to the Question of the hon. Baronet I can only say that the statements contained in it are substantially correct, with one exception, and that is the assumption that the prisoner Mackey has been discharged. The fact is that there has not been the slightest intention of remitting the punishment inflicted on Mackey, and the hon. Baronet will not find his name in the Return which has been already presented to the House.

Colonel STUART KNOX said, he wished to know when the Return will be in print?

Mr. CHICHESTER FORTESCUE said, he hoped it would be in a few days.

SICK POOR ASYLUMS.—QUESTION.

Mr. M'CULLAGH TORRENS said, he wished to ask the President of the Poor Law Board, When the Return, ordered on the 19th February, regarding the cost of Sick Poor Asylums in the Metropolis will be presented to the House?

Mr. GOSCHEN said, in reply, that the part of the Return which related to the number of medical officers, their salaries, and the cost of medicine for the last three years could not be obtained without communicating with several Boards of Guardians, and therefore there had been some delay in collecting that information. It would probably be in the hands of Members next week. The other part of the Return he would endeavour to place in the hands of Members the day after to-morrow.

INDIA—THE AMEER OF AFFGHANISTAN.

QUESTION.

Mr. BECKETT DENISON said, he wished to ask the Under Secretary of State for India, Whether it is true that the Indian Government have subsidized the Ameer of Affghanistan with money and arms; if so, whether the subsidy is to be an annual one, and what conditions are attached thereto?

Mr. GRANT DUFF said, in reply, that, in compliance with a request for assistance from the Ameer of Affghanistan, the late Viceroy gave him a sum of six lacs of rupees, and sanctioned the payment to him, somewhat later, of a like amount, the greater part of which had no doubt before this reached his treasury. The late Viceroy also sent him some muskets and ammunition. No formal conditions were attached to the gifts. They were intended as a pledge of good-will, and as the expression of a hope that a strong Government was about to be established in a long distracted country. The words "subsidy" and "subsidizing" were not appropriate to the circumstances. Sir John Lawrence never contemplated a subsidy, and the Government considered itself entirely unfettered as to the amount and kind of assistance to be rendered to the Ameer.

ENDOWED SCHOOLS BILL.—QUESTION.

Mr. GATHORNE HARDY said, he wished to ask, Whether it is intended to proceed with the Endowed Schools Bill on Monday next? He asked the Question because it had created a good deal of feeling in the country.

Mr. W. E. FORSTER said, in reply, that he hoped to proceed with it on Monday, when it stood for the first Order of the Day.

PARLIAMENT—THE EASTER RECESS.

QUESTION.

Mr. HADFIELD said, he would beg to ask the First Lord of the Treasury, What arrangements are contemplated with regard to the Easter holidays?

Mr. GLADSTONE said, in reply, that the arrangement as to the holidays, which he hoped would be agreeable to the House, was that on Tuesday, the 23rd, he should move the adjournment of the House to the Thursday in the following week. The answer just given by his right hon. Friend the Vice President of the Board of Education was substantially correct; but inasmuch as Monday would probably be the day on which the House of Lords would appoint a joint Committee of both Houses to consider the arrangement of the business between the two Houses, it would be convenient if a similar proposition were made in that House on the same day, in which case he should move the postponement of the Orders of the Day till after that Motion was disposed of.

REAL ESTATE INTESTACY BILL.

LEAVE.

Mr. LOCKE KING said, in moving for leave to bring in a Bill for the better settling the Real Estates of Intestates, that the law which he proposed to alter was one which had its origin at a very early period of our history. The law to which he alluded was then found expedient with a view to sustain a great system of military organization, and subsequently, when that was no longer required, it was felt convenient to maintain the law then in force in order to uphold a small body of great and powerful territorial proprietors. No very great alteration was made in that law until after the confiscation of the lands of the monasteries in the reign of Henry VIII., when, for the first time, land was allowed to be alienated by will, under certain conditions. When the late Sir Samuel Romilly introduced his Bill to make freehold estates assets for the payment of debts, he remarked that this country from being a feudal had come to be a great commercial country, and certainly it was much more commercial now than it was then. Distinguished Law Officers of the Crown had frequently expressed their opinion that the transfer of landed property ought to be as simple as that of money in the funds, and he thought it was desirable that they should show their earnestness by assimilating the descent of real property as much as possible to that of personal property. He cared not whether they looked at that question from the point of view of the small holders or the great holders of land. If they looked at it from the point of view of the former, they would find that familiar as the small holders of the soil were with the law of personal property, they could scarcely be made to believe that there was such an injustice in the law of real property that if they happened to die intestate all their land would go to only one of their sons; and when their attention was called to that injustice they almost universally made a will, in order that there might be a fair distribution of their property among their children. But, on the other hand, there were cases where the dislike to make a will led persons of that class to postpone doing so till it was too late; and then, under the present state of the law, the injustice to which he had referred resulted from their neglect. He had lately heard a case of this kind of very great hardship. A farmer possessed of several acres had an eldest son, who went away from his father's home and led a very dissolute life. The second son conducted the farm with the father, and the father always told him that he intended to leave him the property, charging it with a certain sum for the dissolute son. The father, however, died suddenly without making a will; the property came to the eldest son, who took it as heir-at-law, and in course of about a year or so he squandered the whole of it; while the younger son was left entirely destitute. He would next look at the matter from the point of view of the great landholders, and he was prepared to say this was not a question which affected them to any great extent, for they were not only conversant with the law themselves, but their attorneys would tell them of the danger they ran in not making wills. But, further, their real estate was almost universally settled, entailed, and tied up in such a way that it very rarely happened that their eldest sons took it as heirs-at-law without settlements. The great holders of land might therefore well assent to that reasonable measure, which was asked for on behalf of the small owners of real property in this country; and they ought not to resist such a change when it was in their case only a prejudice that was offended. It was said that he wished to introduce the French law into England; but that was an entire mistake. He did not by any means approve the French law, which interfered with the parent's power of willing away his property. In England there was a most fair and just law in regard to personal property. When the husband being a father died intestate one-third of his personalty went to his widow and two-thirds to his children or next of kin. But in the case of freehold land, where there were sons and daughters, the whole went to the eldest son, and there was no provision whatever for the rest of the family. That was a state of things which it was impossible to call other than unfair and unjust. Moreover the whole system was full of anomalies. Long leaseholds, dating perhaps as far back as King James II., and for 10,000 years, which were as good as freeholds, were treated by the law as personal estate; but if the leases were leases for lives, then they descended as freehold estate. They had now a Government which was decidedly a Government of progress; and the country looked forward to its expressing an opinion on that Bill at the very earliest stage. Many Members of that Government had voted in favour of the Bill on previous occasions, and even the name of the present Solicitor General had appeared on the back of it. The Chancellor of the Exchequer and the President of the Board of Trade had not only repeatedly voted but spoken in its support most strongly. He therefore felt that the time had arrived when the Government must come forward and not refuse any longer to do an act of justice to the small holders of real property. The hon. Member concluded by moving for leave to bring in his Bill.

MR. BERESFORD HOPE congratulated the hon. Gentleman on the history he had given of his Bill, but in that history there were some omissions. On the last two occasions on which the hon. Gentleman brought forward that Bill, once in 1859 and again in 1866, he was defeated on a division in the first case by 271 against 76, and in the second by 281 against 84, so that although he had made eight converts in seven years, he had increased by ten the number of those who resisted his proposal. Among the opponents of the Bill on a previous occasion was the Attorney General of that day (Sir Roundell Palmer), who felt so strongly on the matter that he came down to the House in his legal garments and made a most telling speech from the front Treasury Bench against it. From the same Bench a speech was also made against the Bill by the present Prime Minister; and the measure was likewise opposed in 1859 by one of the wisest, most philosophical, and most moderate of statesmen, the late Sir George Lewis, who said its effect would be to extinguish that class of persons who were denominated as heirs — a pretty trenchant expression, especially from one so much accustomed to weigh all his words. And so little did the hon. Gentleman opposite trust his own arguments, that he appealed to the House *ad misericordiam* just to accept this Bill and then limit it to little properties of £1,000 or £2,000 value. The hon. Gentleman had that night given them a touching anecdote; he always gave them a touching anecdote. Last time it was the story of a young woman, now it was the story of a prodigal son. But his latest anecdote only proved that the old father was a stupid fellow for not making his will. Even if the hon. Gentleman's Bill had been in force, that prodigal eldest son would have had half the property, and the small estate would have been cut into two. An infinite amount of distress would be caused by the splitting up of estates into plots of three or four acres. He had watched the results of such a system in Kent where it existed as gavelkind, and should be very sorry to see it extended to England. The small pauper proprietorships with joint rights so created, of which one owner might be in the union and another in America—he was speaking from books—were a simple nuisance, both to the community and to the unfortunate persons themselves. As he intended to oppose the second reading of the Bill, he would not say much more on the present occasion. He would simply remark that he did not oppose the measure from any feudal or sentimental motive, but from a desire to preserve the security and money value which land at present possessed, but which would be much diminished in the event of the proposed change taking effect.

Mr. STAPLETON said, he thought the House would make a great mistake if they were to pass the Bill. He entirely agreed with the hon. Member for the University of Cambridge (Mr. Beresford Hope), who opposed the measure from a Conservative point of view, whereas he opposed it altogether from a Liberal point of view. The hon. Member for Surrey (Mr. Locke King), asked the House to change what he described as the most ancient law in this country, and his demand was based on a personal grievance. On the present occasion the hon. Member had only drawn attention to one grievance, but nine years ago he had alluded to a long string of grievances of a similar kind. He presumed, therefore, that the hon. Gentleman had on his notes a number of other grievances with which he had not troubled the House to-night. It was, however, incumbent on the hon. Gentleman to demonstrate, first, that these grievances really resulted from the present state of the law; and secondly, that they were so numerous as to warrant the great change he proposed in so important a law. He had, however, never done anything of the kind. The whole argument of the hon. Member laboured under this weakness—that he failed to show that the grievance complained of would not have existed just the same even if his Bill had been law. It was mere matter of conjecture to say that this man or that man would have made a will, for in many instances it would, no doubt, happen that he would not have made a will. The hon. Member had stated that the owners of small estates were ignorant of the law, and fancied that on their decease their estate would be divided like their personal property. Now, nothing could be more self-evidently wrong than such an assumption on the part of the hon. Member. These small estates were often the most ancient in the kingdom, and in the north of England there were freeholders whose property had descended from father to son for many generations. How, then, could the holder of such an estate, who had himself inherited to the exclusion of his younger brothers, be ignorant of the fact that his elder son would inherit it to the exclusion of his younger sons? If the present measure became law, the probability was that many persons who now died intestate, would be put to the unnecessary trouble and expense of making wills. It must be also borne in mind that there would be grievances on the other side of the question. It would happen, for instance, that the eldest son would naturally be regarded as the successor to the estate, and would consequently be left without any other provision. His sisters might have had their portions, and his younger brothers their advancements, and yet if the old man should forget to make a will, the property would be divided into equal portions, and the eldest son would get no larger share of the property than the others. Indeed, the grievance would sometimes be intensified, because it might happen that while his younger brothers had been building up their fortunes elsewhere, the eldest son had been expending all his energies in improving this very farm, nearly the whole of which would, under the provisions of the present Bill, be taken away from him. But, even according to the hon. Member himself, the Bill would only bring about an infinitesimally small amount of good, and we should be acting like the inhabitant of China who burnt down his house for a culinary purpose. One of the complaints frequently made was that the land of this country was in very few hands. The hon. Gentleman the Member for East Surrey admitted, however, that the greater portion of the land was under settlement, and consequently it would be in no way affected by the passing of the Bill. For all the grievances referred to there was an obvious remedy, which, however, he did not propose, and which had not been proposed by the hon. Member for Surrey. It was simply that the children who had not received advances in their father's life-time should, on his decease, come next after creditors, and have a claim on the ancestor's estate, no matter in whose hands it might happen to be. For what could it matter to a child who had been left destitute whether the estate were real or personal, or whether it were in the hands of a devisee or of the heir-at-law? Although the hon. Member disclaimed any political object, he knew very well that the object of those hon. Gentlemen who would give their support to the measure was to increase the number of small landed properties in this country; but he ventured to say that, instead of accomplishing that object, the Bill would tend directly to defeat it. The large estates under settlement would not be immediately affected by the Bill, which would, therefore, only touch small estates. Now, supposing the latter were divided great expense would be incurred, much money would go to surveyors and attorneys, and a good deal of land would be wasted. In a vast number of cases, however, the estate would not be divided, but sold, as every attorney would advise his clients to sell the land for two reasons—first, because it would be the best advice he could give; and, secondly, because it would be most to his own interest to give that advice. Well, if the land were put up for sale, it would of course be purchased by the great landed proprietor in the neighbourhood, who would always be able to give a higher price than anybody else. Those who were acquainted with the counties of Cumberland and Westmoreland were well aware that a change of this kind was constantly going on, and that the small freeholds were being gradually absorbed in the estates of Lord Lonsdale and of Mr. Marshall, formerly a Member of that House. Now, hon. Gentlemen on that side ought to remember that they owed a great deal to the small freeholders, who, before the passing of the Reform Act of 1832, were the people who returned Liberal Members to the House of Commons. The late Mr. Cobden once said that the great effect of this Bill would be to set a fashion, and that people following the fashion would by degrees give up settlements, so that in the end the great estates of the country would be divided. In his opinion that was a wild speculation. There had been for hundreds of years two lines in which property descended—the line of the Common Law or tail general, and the line of the male entail, which applied to nearly all the land under settlement, and yet the fashion of the Common Law had not destroyed the male entail. Yet surely nothing could be more painful to a dying man than the reflection that his estate would go to his brother, his uncle, or possibly even to some very remote relation, though he left a large family of daughters inadequately provided for. Why, then, should it be supposed that the moral effect of the measure under discussion would be to destroy the practice of entailing estates? It appeared to him that the Bill was a bad one, because it would frustrate the very object it was pretended to promote, like the Septennial Act, which, as everybody knew, was passed for the purpose of keeping out the Tories, though it had the effect of keeping them in.

MR. GOLDNEY said, he thought the question which the hon. Member for East Surrey (Mr. Locke King) had brought under the notice of the House should be dealt with, if at all, as a whole, and not be made the subject of patchwork legislation. The Commission, of which the late Lord Campbell was the head, in their Reports, dealing with that and other kindred questions, had recommended that if any Act was to be founded upon the suggestions which they made it should proceed on the footing of taking them as a whole and effecting a complete and systematic reform. If the law of inheritance were at once done away with, as was now proposed, the result would be the creation of great anomalies. Let him, for instance, take the case of a widow with a son. Should that widow marry again, the son, under the operation of the Bill of the hon. Gentleman, might not get a farthing of her property. If she died without a will all her personal property would vest immediately in her husband, who might prevent her from making a will, and thus grasp the property of the child. To take another case, if the distribution of a man's property was to follow his domicile, the distribution of property in this country might have to be made in accordance with the law of France. He objected, therefore, to such piecemeal legislation as the hon. Gentleman proposed to support, merely because it bore on the face of it the appearance of being a sort of clap-trap justice.

MR. WALTER said, he was anxious to take the opportunity which the present discussion afforded to vindicate himself from charges which had been brought against him not very long ago by the right hon. Gentleman the President of the Board of Trade (Mr. Bright). The right hon. Gentleman accused him, when his qualifications for the position of a Boundary Commissioner were in question in that House, of being a "fanatical admirer of the territorial interest." The right hon. Gentleman seemed to think that the opinions which he had attributed to him on that occasion disqualified him from being appointed to so important and responsible a situation, and under those circumstances he felt assured the House would allow him to offer a few remarks in explanation of those supposed opinions. He would, he thought, be doing the right hon. Gentleman no injustice when he stated that the only possible knowledge he could have of the existence of the fanaticism to which he objected must have been derived from a conversation of some five minutes' duration which he had with him about fourteen or fifteen years back, when the hon. Member for East Surrey (Mr. Locke King) had brought forward a Bill of the very same character as that which he had just submitted to the notice of the House. It had been his lot to vote on more than one occasion, he believed, against the proposal of his hon. Friend, and to speak against it once; but he was neither going to vote nor speak against it that evening. He desired merely to state in a few words the reasons which influenced him in arriving at that which might appear to be a change of opinion on the subject. He had always attached the slightest possible importance to the law of primogeniture, thinking that it would make little practical difference whether it was abolished or retained. What he did attach importance to, however, was the handle it afforded those who wished to throw odium upon the landed interest. It was made a handle for statements on public platforms both in this country and the United States, which were calculated to create an unjust prejudice against the owners of land. If the House would permit him, he would read a passage from the work of an American gentleman who had passed some time in England, and who gave the following description of the general condition of landed property in England. It was often said of Frenchmen that it was impossible to make them understand the law of England, and when he had read the passage to which he had just referred, the House would, he thought, be of opinion that the remark applied with not less force to our American friends. Professor Hoppin, the gentleman from whose Work he was about to quote, was a professor of Yale College, and had written one of the most agreeable books on "Old England" which he had ever read. Speaking of what he had seen in the neighbourhood of Malvern, the Professor said—

> "In the distance, upon the Hereford side of the Malvern Hills, rose the monument or pillar of the Somers family. This is one of those proud me-

> morials, the one responding to the other over hill and dale, which remind us of the well-known fact that England is divided up chiefly among twenty or thirty great families. Those rich and powerful families give the law to everything."

That was a fact which was certainly new to him, and, he believed, to every other Member of the House. It was, however, the conclusion at which an American gentleman of the highest education, who had the best possible opportunity of making himself acquainted with the facts, and who mixed in the most intelligent and influential circles in England, seemed to have arrived. But Professor Hoppin proceeded to qualify his remarks in the following manner. After using a few complimentary remarks with respect to our modern legislation, he said—

> "Even the rigid old law of primogeniture is not so rigid as I, for one, had supposed. I notice Sir John Barnard Byles, now of the Court of Common Pleas, stated to a friend of mine, in conversation, that the entail of all the entailed estates in England could be cut off when the eldest son coming of age consented, except in four cases. . . The Justice, furthermore, stated that no property could be entailed for any period longer than a life or lives in being, and twenty-one years."

He had called attention to those passages because they showed the sort of impression which seemed to exist among well-informed and intelligent Americans, as to the way in which landed property in England was held. Almost all those, he might add, in America, with whom he had come in contact, appeared to entertain the notion that there was some law, some fatality, binding on the landed proprietors of England, which compelled them, as a matter of necessity, to leave their property to the eldest son. He recollected talking to a gentleman who informed him positively that every nobleman and landed proprietor in England was bound by law to leave his property in that way, and upon his venturing to dispute the accuracy of that statement, and pointing to the sale of the Duke of Buckingham's property as an illustration of his argument, the reply was, "No doubt you mean to speak the truth, but Mr. Bright says it is as I tell you, and he must know better." The right hon. Gentleman was, no doubt, responsible for a good deal of the misconception which prevailed in the minds of Americans with respect, at all events, to the influence of the law of primogeniture. What the popular feeling in other countries generally was on the subject he hardly knew; but he supposed the idea prevailed among some persons that, by law, all the landed property in England must go from the father to the eldest son. Now, the only case bearing on the point at issue, which came within his personal knowledge, was that of a friend of his own, who lived in Sussex, who had landed property, and who died intestate. He had a small estate near Eastbourne, and the personal property went in accordance with the Statute of Distributions, but the real estate went to the youngest son by a second marriage, in accordance with the law of Borough English. He did not stand up in that House to defend the law of primogeniture in the abstract. He thought it far better that the law, in cases of intestacy, should make such a distribution of a man's property as might be deemed most advantageous for the general good. He, for one, would not maintain that the devolution of landed estate on the eldest son, where no provision was made for the younger children, was anything but a flagrant injustice, and he was of opinion that the hon. Member for East Surrey was perfectly right in calling on the Government, not only to express an opinion on the subject, but to undertake the conduct of legislation with respect to it. A matter so serious as the alteration of the descent of real property ought not to be left to a private Member, but ought to be dealt with in such a manner as to suit, not only the abstract notion of justice, but the habits and general views of the people of this country. His experience led him to the conclusion that there was not the slightest desire in England to see old estates roughly broken up, or old families dispossessed of the power to make disposition of their property. He, for one, would not think it worth while to hold an acre of land if he had not the power to dispose of it as he liked; while he was also of opinion, that if a man went out of the world without having made a will, there would be no right to complain of any disposition which the law might think it expedient and just to make of his property. Such were the "fanatical opinions" which he held on the subject of territorial possessions, and he would commend them to the attention of the right hon. Gentleman the President of the Board of Trade, who, he hoped, would acquit him of any wish to see the landed interests unduly favoured or vested with any privileges which they ought not to possess.

Mr. HADFIELD said, it was a monstrous thing that because one son was born before the others, he should therefore be entitled to the whole of his father's freehold property. Very little property used to exist in this country except real estate, but now the value of personal property in the country was equal to that of real estate, and no one could understand why this distinction between realty and personalty was maintained. The sense of the country was entirely opposed to it, and when he was in practice he had met with instances in which, upon intestacy, the heir-at-law refused to take the realty to the exclusion of the rest of the family, and divided the property among them, reserving his own share only. He supposed that this question would only be settled, as many others had been, by means of pressure from without; but, sooner or later, the result must inevitably be that victory would be obtained on the side of common sense, good policy, and sound administration of the law. This was such an important matter that he trusted the Government would take it in hand, and endeavour to frame a measure which would nsure a more satisfactory state of things than the present.

Sir LAWRENCE PALK said, there was a growing custom in the country to accumulate large landed estates, the great bar to which was the law of entail, which prevented such estates coming into the market and being divided. If the hon. Member (Mr. Locke King) carried his Bill he would certainly be furnishing facilities for the sale and division of those estates, and by doing so the desire for accumulating large landed properties would acquire a fresh impetus. In his opinion a man should have the right of leaving and settling his property in the manner he pleased; and it appeared to him that the greatest tyranny was to tell a man that he should not leave his estate as he desired. He trusted that the Bill of the hon. Member would not be allowed to progress, especially under existing circumstances, when there were so many important questions to discuss.

Mr. GLADSTONE said, that if he rightly understood the wish of the House, gathered from the speeches of hon. Members on both sides, there was no intention to divide against the introduction of the Bill. It appeared to be the general sentiment of the House that there was, at any rate, a case for legislation of some kind upon this question, more or less in the direction pointed to by his hon. Friend (Mr. Locke King), and hon. Members seemed inclined to give to the principle of the measure that sort of qualified assent to which they should be understood to give by voting for the introduction of the Bill, independently of those—and, no doubt, there were many—who were disposed to embrace the principle fully and absolutely. Regarding that as quite a reasonable state of things, he only rose to notice the appeal made, or, at any rate, the opinion expressed, by an hon. Member opposite, by his hon. Friend (Mr. Walter), and by several other Gentlemen, that this was a subject which had better be placed in the hands of the Government. He was not prepared at all to demur to that proposition, though until he saw the measure, and it had been carefully considered, he did not know that it would be possible to give a definitive opinion upon either the question whether this was capable of being dealt with as a simple, unconditional proposal, or whether it would require to be dealt with in a more developed and elaborate manner, and with more careful reference to a variety of details arising out of the present state of the law. If, however, he refrained from giving any pledge on the part of the Government that they were willing and disposed to direct their attention to the subject, with the view of introducing such a measure as they might deem upon the whole to be the best, it was only because he thought it was not the duty of a Government to charge itself at any given time with more than a certain number of subjects, and that, in choosing those subjects, it must have regard to its probable opportunities of obtaining for them full discussion and consideration at the hands of both branches of the Legislature, and, if they were approved, of passing them into law. Upon that simple ground he was not able—he wished he was—to give a pledge on behalf of the Government, which perhaps it might be desirable that they were in a condition to give. That being so, he was glad that the Bill of his hon. Friend should be introduced; and if, as his hon. Friend (Mr. Beresford Hope) said, he (Mr. Gladstone) had in June, 1866, taken part in opposing the second reading of this Bill, it was not because he thought that the present law was defensible in all its parts—for he was bound to say that he concurred in much that had been said by his hon. Friend (Mr. Locke King) as to the effect of the present law of intestacy upon the descent of real estate—but because, considering the late period of the Session, he did not think, in 1866, that the labours of his hon. Friend could be brought to a practical conclusion. At the present time he knew not whether the circumstances would be more favourable to the attempt of his hon. Friend, who had, at any rate, one great advantage in proposing this measure in March instead of in June, so that several months were available for its discussion and consideration. He (Mr. Gladstone) agreed with his hon. Friend that the proposition was one which it was material for the House to embrace—that the provisions of this Bill would have but a very limited direct effect upon the descent of the larger properties in this country. His hon. Friend himself allowed that the Bill was mainly to be judged by its probable results upon the smaller properties of the country; and what between the different causes of intestacy—such as pure accident and carelessness, the strange effeminate or capricious dislike which some persons had to consider the contingency which made a will necessary, and the casual errors which, even when persons had been discreet enough to make a will, rendered it informal—the law ought to be the subject of scrupulous care in providing for cases of intestacy. What should be the precise disposition of landed property under the law he did not undertake to say. But he felt that the present law, so far as it concerned real estate, was not the best that could be devised, and, being very much disposed to agree with his hon. Friend, he should vote for the introduction of the Bill.

Mr. HENLEY said, he hoped the title of the Bill would be altered, and would be made to read "A Bill for the Confiscation of all the 40*s*. Freeholds in this Country." The owners of 40*s*. freeholds hardly ever made wills, and if one of these freeholds had to be divided among the children, it must be sold, and would fall into the hands of the neighbouring landowner. In this way all the 40*s*. freeholders would in time be snuffed out, or if they fell into the hands of lawyers and conveyancers, there would be little left for division among the family.

Motion *agreed to*.

Bill for the better settling the Real Estates of Intestates, *ordered* to be brought in by Mr. Locke King, Mr. Bouverie, Mr. Hinde Palmer, and Mr. Headlam.

REGISTRATION OF VOTERS.

MOTION FOR A SELECT COMMITTEE.

Mr. VERNON HARCOURT, in moving that a Select Committee be appointed to inquire into the Laws affecting the Registration of persons entitled to vote in the Election of Members to serve in Parliament for Boroughs in England and Wales, and to report whether any and what amendments are required therein, said, that he was afraid that the subject of which he had given notice would be found somewhat dry in its details, but it was not uninteresting to a great number of Members in that House; and a strong desire prevailed that the law in respect to it should be placed on a sounder and better footing. The evils of the existing system were very well known. The question he intended to raise was not calculated to excite party feeling. It was entirely removed from all matters of controversy which affected the basis of the suffrage. Both sides would probably agree that whatever franchise was established every facility ought to be given for all classes of voters to be placed on the register at the smallest amount of trouble and expense. The importance of the question could not be denied. Indeed, ever since Sir Robert Peel's famous aphorism that the battle of the Constitution must be fought in the registration courts it had been admitted that this matter lay at the root of our political system of government. The battle-field of the Constitution was, however, at present in a confused and embarrassed condition, reminding him of the story in Hindoo mythology, according to which Heaven rested on the earth, the earth was supported by an elephant, and the elephant by a tortoise, but what the tortoise was supported by nobody had been able to say. So the English Government was understood to stand on the House of Commons, and the House of Commons on the constituencies, but what the constituencies depended on was by no means clear. As far as he could understand the matter, they appeared to stand on the overseer, who made out the list of persons to elect Members for that House. The overseer's office was very ancient, and he might say antiquated, and the machinery at his disposal was not adapted to the present condition of affairs. He was not a person necessarily conversant with the law, and instructed in the manner in which the list of voters should be made out. Some boroughs were divided into different parishes, and different overseers might happen to act on different principles in the several parts of the boroughs; so that there would be no unity of principle or uniformity of action. The overseer made out his list from the rate book, which was an imperfect and incorrect document for the purpose of a political register. The rate book was kept for the economical purpose of collecting the rate and not for the political object of ascertaining the constituency. The result was that the list made out by the overseer contained names which ought not to be in it, and was deficient in other names which ought not to have been omitted. Then, in order to correct the list, the expensive machinery of the registration court was put in motion, and, after all, a very indifferent list was finally obtained. All this arose from the fact that the rate book from which the list was taken was constructed not for a political but an economic purpose. It might be said, why should not the overseer be compelled to keep the rate book more accurately? Why, at present there was a law and a penalty to compel him so to do, but the law was wholly inoperative, and he believed that any law with a similar object would be equally ineffectual. These considerations led him to the conclusion that, in each of the boroughs of England, there should be an officer whose particular duty should be to pay attention to the making out of the list of voters, and who would discharge the functions of a registrar of voters. That was a plan adopted with great advantage in Scotland, where the system of registration was extremely satisfactory. For example, there was only one man to attend to the whole register of the borough of Glasgow, and he was informed that he performed his duties admirably. He should be sorry to throw any additional burden on the borough rates; but it was probable that the cost of paying such an officer would not be greater than the charges incurred under the present system. The first requisites, as the basis of the register, were accurate street lists of the occupiers of boroughs. It had been suggested that those street lists might be made out through the intervention of the Post Office as an assistance to the registrar, and he understood that the head of the Post Office, without committing himself to the details or principle of the plan, was not unwilling to give instructions in order to see whether such a thing could be conveniently done through the intervention of that establishment. That would materially diminish the labour of revision, and, instead of crowding claims and objections into a few weeks in autumn, he would suggest that they might be sent to the registrar at any period of the year. In that manner we might get a *primâ facie* good list of the voters. If that were the case, he hoped we might, to a great degree, dispense with the expensive machinery of registration associations. The registers being so deficient, he admitted their existence was almost indispensable, and, at the same time, the temptation became too great to give money to voters to enable them to be placed on the rates and to attend the registration courts. Nevertheless he considered that these registration associations were productive of serious mischief. The consequence of their establishment was at once to scatter objections broadcast over the constituents, and this system had gone to such an extent that the House must feel itself bound to provide a remedy. It seemed to be thought that in politics, as in love and war, everything was fair, and objections were recklessly issued by thousands by the representatives of both parties. He believed that both sides were equally unjust and unfair in that practice, and that objections were made on the unfair speculation that a number of good voters would lose their votes simply because they could not attend to support them. The injustice was great, because it fell the heaviest on those who depended for their subsistence on their daily wages, and to take such men away from their work to attend the Revising Barrister' Courts for one, two, or three days, was to destroy the maintenance of himself and family. The consequences were most mischievous in their results, because this system inflicted on them a pecuniary fine for which they endeavoured in some way or other to recoup themselves in money, and it thereby became an absolute premium on corruption. Parliament should see that each voter was put upon the electoral list without expense to himself or to others, for if others were at the expense of putting him on the register or of keeping him there, they would as a matter of course claim his vote, and, in most cases, would get it. And all these considerations had greater weight when viewed in the light of the recent ruling to the effect that expenditure upon an election contest by a registration society of money paid to it by a candidate was not an expenditure for which the candidate was responsible. Presuming that to be the true reading of the law, the sooner it was altered the better. As a remedy he suggested that all the objections to the first list should be made within as early a day as possible, and that the claims should be delivered a fortnight afterwards; it would then be possible to remove all merely formal grounds of objection, and to cast upon the objector the responsibility of sustaining the objection if he could. He also recommended that the practice of compelling the objector to specify particularly the grounds of his objection should be adopted in the boroughs as well as in the counties. Vexatious objections could be prevented by making the objector pay costs in cases of failure, and find security for those costs before he was heard. The voter would then stand in as fair a position as a successful candidate; he would be placed upon the register by a competent authority, as the registrar of voters would be, and if not absolutely secured against frivolous objections, it would be in the power of the court to award him compensation for loss of time in cases where he stood his ground on his right to vote being challenged. Some alteration, too, was required in the law regulating the registration of lodger claims. Under the present law the lodger franchise had been almost a dead letter, because the lodgers could not tell whether their claims would be objected to or not unless they attended at the Revising Barrister's Court. He could not understand why the lodgers should not be placed in the same position as any other voter, by having his name put upon the first list, which would entitle him to notice of objections. A great deal of caution would be necessary in dealing with all those matters, as it would be impolitic to discourage objections to such a degree as would lead to impunity of errors in the register; and having said so much he would pass to the revising authority. That was rather a delicate matter for a person in his profession to deal with. Sydney Smith once said in reference to a Bishop that the greatest punishment that could be inflicted on him was that he should be preached to death by wild curates. It was a dangerous position for a man to do anything to bring down upon him the wrath of the class of Revising Barristers. He had no disposition to pass any censure on that tribunal; but he begged to point out that if they got their primary list in better condition there would be much less for Revising Barristers to do, and he should hope that many of the trivial details they had now to correct would be removed, and they would only have to deal with questions of law, which were sent by appeal to the Court of Common Pleas. Fewer Revising Barristers would then be required, and they would be able to pay them a higher remuneration and thereby to secure the services of persons of greater weight in the profession. Another amendment was required in the matter of appeal. At present there was no power to compel an appeal from the Revising Barrister, and a strong feeling existed throughout the country upon this point. In the north of England thousands of voters had been disfranchised by a decision of the Revising Barrister, from which all appeal had been refused. In the most trivial suit at Common Law the subject had a right to tender a bill of exceptions to the ruling of the Judge. What reason, then, could be urged against making the same rule in the case of decisions by Revising Barristers? To show that greater powers of amending the list should be given to Revising Barristers than they had at present, he instanced the case of a man, resident in Oxford during the last twenty years, who had been struck off the list simply because he had moved from one street into another during the previous twelve months. and the overseer had omitted to enter the two addresses on the list. The Revising Barrister had in that case no power to amend the description, although he knew the man had as good a qualification as any in the borough. These were a few of the points on which the law required amendment; probably if the Committee asked for were appointed, others having more experience than himself would suggest many more. The noble Lord the Member for Middlesex (Lord Enfield) had suggested that the question of county registration should be included in the order of reference; but he had purposely omitted to include counties because they stood in an entirely different position; the qualification was different, and in consequence of the area of the constituency the machinery of registration must be different. He believed, however, county Members would do good if they had a Committee composed of some of their own number to inquire into the subject of county registration. He would venture, in conclusion, to say that an improved registration system was an object in which they would all concur. Everyone must desire to diminish that increasing cost which had become a scandal to our Parliamentary system, to make the franchise free from much of that corruption which now attended it in consequence of our defective registration, and to give the electors the enjoyment of their rights without vexation and without expense. He hoped that a wisely considered scheme would place our Parliamentary government upon a more just and satisfactory footing than that upon which it stood at present. He begged to move for a Select Committee.

Mr. RATHBONE, in seconding the Motion, said, that the present state of the law was such as to offer an almost overwhelming temptation to revision agents to make a large number of speculative objections without any foundation, but upon the bare idea that a great many of those objected to would not be able, or would not take the trouble, to come up and defend their votes. At the last revision court for Liverpool, out of some 40,000 names on the primary register, no fewer than 15,000 had to be separately considered by the Revising Barristers, who took three weeks in going through the lists. About 9,000 were objections, and 6,000 claims. Out of the 9,000 objections no fewer than 4,700 failed altogether, 500 fines were imposed for frivolous objections, and more than 1,800 fines would have been imposed if the objections had not been withdrawn when it was seen that the Revising Barristers were doing their duty. Of 4,600 householder claims no fewer than 2,000 were good, or, in other words, 2,000 names that had a right to be on the lists had been omitted by the overseers. As he was anxious not to overstate the case, he must deduct from the 9,000 objections 1,400 which were made on both sides, and which related to persons who were dead, but that left no fewer than 7,600 men who were called away from their daily occupations to defend their votes in the borough of Liverpool. And that did not include the county registration. In other words, about one person in eight of those entitled to vote had been subjected to the inconvenience of which he complained. Nor was that all—because a very large number was struck off because they were unable to attend to sustain their claims, the objections being in many cases altogether without foundation. There was only one point on which he would venture to correct the hon. and learned Gentleman who had made this Motion. The hon. and learned Gentleman had said that this hardship pressed most on the poorer classes. In his opinion it would have been more correct to say that it pressed most heavily on the industrious classes who were least able to spare time to defend their votes. With foremen and others whose work was of a really responsible character it was not a mere question of the loss of a day's wages, but of offending their employers by not attending to some important business, and thus losing their situations. There was one safeguard in addition to those mentioned by the hon. and learned Gentleman that he would suggest, not upon his own authority merely, but upon that of some of the most experienced registration agents in the north of England; and it was this—that a person before making an objection should be compelled to state, either before the Registrar or a magistrate, the *primâ facie* grounds upon which the objection was based. The figures he had quoted proved conclusively the necessity of some entirely new method of forming the primary lists. It appeared to him that the House of Commons was bound to give the electors of this country that protection to which the greatest rogue was entitled, for he could not be compelled to appear before any Court until a *primâ facie* case was made out against him.

Motion made, and Question proposed.

Mr. COLLINS said, that upon reading the Notice he was very much surprised that the hon. and learned Gentleman (Mr. Harcourt) had not included the counties in it, because the registration in counties was as defective as that in boroughs. The registration in boroughs was very simple, and he doubted if it could be materially improved. ["Oh, oh!"] Hon. Members might exclaim "Oh, oh!" but that did not disprove his statement, but rather showed that they were not conversant with the system. The registration in boroughs was taken entirely from the rate book, and it was the duty of the overseer of the parish to take the rate book on the 1st of August, look through the rates made during the previous year, and if he found that the persons named had been on during the whole of the twelve months he was bound to place them on the register for the following year. The system was therefore self-acting in boroughs. The hon. and learned Gentleman was somewhat inaccurate when he stated that the owners, and not the occupiers, were on the rate book. Since the passing of the Small Tenements Act the contrary was the case. He did not think there was a small borough in the kingdom in which the overseer was not bound to put the occupier's name on the register, and he believed it was done. Otherwise, how could the overseer collect the rate? Overseers were not, of course, infallible; no more were registration officers. An overseer might not know whether a man entered upon his occupation on the 1st of August or the 10th of August, although if the man entered on the former date his vote would be good; if on the latter his vote would be bad. It was obviously impossible always to tell whether an occupation began on the 30th of July or on the 2nd of August. But having seen something of the working of the union assessment committees, and knowing how very accurate they were, as far as the north of England was concerned, he believed there was not a single borough there where care was not taken to have the occupier's name brought upon the rate book. The law very properly required a man's qualification to be stated for the whole of the previous twelve months, and if he had lived six months in one street, and another six months in another street, the two houses he had occupied in succession ought to be placed against his name. Surely there was no hardship in calling upon the man who wished to protect his vote to give the public information where he had lived for the entire year. That had been the law of the land ever since the first Reform Act; there had been decisions of the courts upon the subject; and it was perfectly well known and understood. With regard to the right of appeal, he thought the Revising Barristers were, if anything, rather too ready to grant a case for an appeal. They must judge whether they could grant a case or not; and they would not refuse one if there were any grounds for giving it. Their duty was just the same as that of magistrates at quarter sessions. It was said that lodgers ought not to have to claim their votes, but should have their names put down like other people's. But how was the overseer to get at the lodger, who paid no rates and was not on the rate book? The overseer collected money from the occupiers—a very substantial mode of knowing them; but he had no dealings with the lodger, who must be made to show that he had lived in his lodgings for the requisite period to qualify him. They surely could not say that a lodger once upon the list was to remain on it always, without having proof that he was entitled to be there. In the case of the counties, however, there were one or two points really requiring to be dealt with by legislation. In the counties at present they had two occupation franchises—that of the old £50, or—as he might be called—the Chandos occupier, and that of the new £14 occupier, and the consequence of that was that, as almost every £50 occupier was at the same time qualified also under the £14 occupation franchise, the Chandos occupiers were put on the list twice. That was a needlessly cumbrous arrangement, and it would be better to put those Chandos occupiers on under the £14 clause. In that way they would cure the evil of having a Chandos occupier, as sometimes happened, remaining on the list for perhaps six years after he had left his farm and gone away. In conclusion, if the Government thought there was scope for a Select Committee, of course he would have no objection to it; but he would certainly prefer that the subject should be dealt with by a Bill, and that the hon. and learned Gentleman (Mr. Harcourt) should sketch out in it the alterations which he deemed desirable.

MR. CANDLISH said, the question immediately before the House related to the boroughs, not to the counties. The hon. Member who had just spoken (Mr. Collins) stated that the Revising Barristers would always give an appeal to parties when they made out a fair case for it. Now, he knew a borough in the north of England where a Revising Barrister, by his own interpretation of the law, struck out 2,000 voters from a register comprising a total of some 5,000 voters; and that Revising Barrister refused an appeal against his decision. That fact alone, he thought, would justify the appointment of the proposed Committee. The thanks of the House and the country were due to the hon. and learned Gentleman (Mr. Harcourt) for bringing the subject before them, and also for the remedies he had suggested. He wished that before proceeding to amend the mode of making up the electoral register, the grounds on which that register reposed were changed, and the connection between rating and voting were cut at as early a date as possible. The principle of making the vote depend upon parochial rating could not stand as a basis of the franchise, beset, as it was, with so many difficulties. There were other executive defects in the Reform Bill. In many boroughs in the counties of Durham and Northumberland, there were several tenements under the same roof. In Tynemouth all tenants of such houses were struck off; whilst at Shields the same class of tenants were retained. But in Sunderland, which he had the honour to represent, the Barrister compounded the matter by retaining some and excising the rest. Until there was some degree of uniformity in the definition of a house, the working of the Act must be defective. Men of the same social rank were enfranchised in one section of the borough and disfranchised in another. The Assessed Rates Bill, which had been introduced by the President of the Poor Law Board, would do much to get rid of some of the evils of the Reform Bill, but it would fail to touch the question as to what persons were rateable. In conclusion, he trusted the Government would grant a Committee with enlarged power, so that everything connected with the subject, all matters of detail not involving matters of principle, might be brought under its consideration.

VISCOUNT SANDON thanked his hon. Friends opposite for having brought this proposal before the House. The system of registration in Liverpool, the borough with which he was connected, led to very great and serious evils, and the party he was associated with was as anxious as his Colleague who sat opposite that the law on the subject should be altered. It had been said that the present registration system pressed very hardly on the poorer classes of the community; but in his opinion the House ought to consider the matter not as one affecting one particular class, but all sections of the community, and there could be no doubt that all alike—the merchant, the clergyman, the professional man, the tradesman, as well as those technically known as the working classes—were subject to much unnecessary annoyance in this matter. With all due deference to the hon. Member for Knaresborough, the objectors to the present system did not rest their case on the fact of the law not being clear, but on the ground that it was vexatious and oppressive. He could fully endorse the opinion expressed by the hon. and learned Member for Oxford (Mr. Harcourt), and he would venture to suggest that it would be satisfactory to both sides of the House if the Government should see fit to refer this difficult question to the judgment of the Committee on Municipal and Parliamentary Elections, which was shortly going to sit under the direct management of the Government. When he sat in the House, some ten years ago, it was considered undesirable to multiply Committees on kindred subjects, and it must be obvious to every one that the most experienced Members of both parties would be taken up by their attendance on the Committee already appointed, so that this matter, one of no little delicacy and intricacy, and of perhaps as great importance as those entrusted to the Committee on Parliamentary and Municipal Elections, and certainly nearly allied to them, would have to be dealt with by men of far less experience and knowledge in such affairs.

MR. DILKE said, that in many of the larger boroughs the lodger franchise was the most important franchise. In the whole of the old metropolitan boroughs the total increase of voters on the register under the Representation of the People Act was only about 15,000, and the increase consisted of lodgers. But the form for claiming the lodger franchise was technical in the extreme. There were two forms in use, one containing two signatures, the other three; and the Revising Barrister admitted one of the classes to the register only on the condition of his decision being subjected to an appeal to the Court of Common Pleas. But, owing to want of funds, or other cause, the appeal was not tried, and the uncertainty therefore remained. Again, the Revising Barrister sat in the day instead of in the evening, as might be done with convenience to the working classes. The lodgers, unlike other classes of voters, were required to send in a fresh claim every year. The collectors might be made to leave at all lodging-houses notices to the lodgers. As the law stood at this moment, an occupier who occupied two or more houses in succession within the same borough, provided he had not left it, might claim for the houses in succession, but in the case of a lodger there was no such provision. If there were two joint occupiers of a house, each might be placed on the register under the old law, if they paid together more than £20, but no such privilege was given to the lodgers. He contended that the same privileges ought to be given alike to lodgers and occupiers. The result of this state of things was that, whilst in the metropolitan boroughs there were between 200,000 and 300,000 male lodgers of full age, as a matter of fact only 15,000 of them had succeeded in getting on the register. Turning to another point—it could not be questioned that the omissions from the lists in London had been wholesale. In portions of the borough which he had the honour to represent, out of every 100 houses, twenty-five were omitted from the list, on the ground that they were empty or were occupied by women; out of the remaining seventy-five occupiers only forty were placed on the register. From inquiries he had made he found that something similar was the case in the whole of the metropolitan boroughs. Of the thirty-five occupiers omitted, only ten were omitted from any fault of their own; the other twenty-five were left off the register entirely by the negligence, he would not say of the overseers, but of their subordinates. It was a singular fact that the Representation of the People Act (1867) made no provision of a form of claim for enabling occupiers whose names had been omitted through the negligence of the overseers to claim their votes. In Paris there was an excellent system of registration in force, established, not by law, but by authority of the municipality, which might possibly be introduced into this country. Cards were prepared bearing the name of the voter, his residence and profession. When those cards were shuffled into alphabetical order they formed the register, and when into streets, the street lists of the entire borough. Clerks, at a certain period of the year, went round and inquired at each house whether the voter still lived there, and whether there were any other persons who ought to be on the register. From these inquiries the lists were made up, and then subjected to a revision. That system somewhat resembled one he had seen in operation in Australia, under which the rate-collector was directed to leave, at every house in his district, a form of claim enabling persons to get upom the register. Instead of the revising court he was convinced that there should be some efficient person appointed who should be made responsible for the registration of each electoral district.

MR. BRUCE said, that whatever doubts his hon. Friend the Member for Boston (Mr. Collins) might have entertained as to the existence of a grievance upon this subject, those doubts must have been removed by what had come out in the course of the present discussion. The hon. and learned Member for Oxford (Mr. Harcourt) had made out a good case; but by the time the hon. Member for Liverpool (Mr. Rathbone) and the hon. Member who had just addressed the House (Mr. Dilke) with so much force and knowledge on the subject had concluded their speeches he must have been quite satisfied that there existed in our system of registration very grave imperfections which required to be removed. When it was stated that in Liverpool there were thousands of voters whose names never appeared upon the list, and that in Chelsea and in other places, out of seventy-five occupiers whose names should have been on the list, only forty appeared there, and when it was stated that numbers of voters were struck off the list on the most frivolous objections, it was impossible to deny that great defects existed in the present system of registration. And it was no wonder that such should be the case. There had been an immense expansion of the suffrage, and the machinery they had endeavoured to apply to the increased pressure consequent upon that expansion was imperfect. In fact, there existed at the bottom of the whole system this great defect—namely, that this system was intended for fiscal purposes, and was unequal to the discharge of political functions. The overseer was good for the purpose of the rate; but he was bad for the purpose of a political register. The hon. Member for Boston had said nothing could be better than the register. They knew, as a matter of fact, that, whatever might be the responsibility of the overseer, his first interest was for the rate. He liked to see who paid the rate. Now, in many cases the rate was paid by the owner, and the occupier's name never appeared in the rate book, and this was one of the reasons why the omissions complained of in the register occurred. A suggestion had been made that the inquiry should not be limited to the boroughs, as there existed grievances of the same description in the counties. He recollected when he was on a Commission of Inquiry some years since very grave imperfections were found to exist, and the remedies recommended by that Committee were very similar, if not identical, with those proposed by his hon. and learned Friend the Member for Oxford. He also recollected that they recommended that there should be an officer whose special duty it should be to look after the registration, and it was suggested that the clerk of the peace should be intrusted with that duty. Again, with respect to the objections, they recommended that strong measures should be taken against those who objected to votes on frivolous grounds. In Scotland, which had so frequently led the way in a great many useful reforms, hardly any of those difficulties existed. There they had to deal with the question of boroughs in which a good valuation list had been drawn up, and that was found to be a record upon which trust might safely be reposed. The consequence was that all those omissions, all those grievances, all those expenses, to which the unfortunate voters were exposed in this country, were altogether unknown in Scotland. He was not sure, indeed, whether they had even such an institution as a Revising Barrister in Scotland; but, if it existed at all, it was deprived of all the inconveniences which were attendant upon it in this country. He thought enough had been said by himself, and if not by himself by others, to show the necessity of such an inquiry as was proposed; and he agreed with his hon. and learned Friend that there would be advantage in limiting that inquiry to boroughs. If they could succeed in establishing a good and perfect system, the counties would not be long in following their example.

Mr. PIM said, he hoped that the scope of any inquiry which might be entered upon would be extended to Irish boroughs as well, where similar evils existed, though not to the same extent.

Motion *agreed to*.

Select Committee *appointed*, to inquire into the Laws affecting the Registration of persons entitled to vote in the Election of Members to serve in Parliament for Boroughs in England and Wales, and to report whether any and what amendments are required therein."—(*Mr. Harcourt.*)

And, on March 19, Committee *nominated* as follows:—

Sir STAFFORD NORTHCOTE, Mr. LEFEVRE, Viscount SANDON, Mr. RATHBONE, Mr. COLLINS, Mr. DILKE, Mr. BOURKE, Mr. MORLEY, Mr. WHEELHOUSE, Mr. CANDLISH, Mr. PEMBERTON, Mr. WENTWORTH BEAUMONT, Mr. GOLDNEY, Mr. HODGKINSON, and Mr. HARCOURT:—Power to send for persons, papers, and records; Five to be the quorum.

REPRESENTATIVE PEERS (SCOTLAND AND IRELAND) BILL.

LEAVE. FIRST READING.

Mr. STAPLETON, in moving for leave to bring in a Bill to alter the mode of electing Representative Peers in Scotland and Ireland, and to enable the Crown to summon such Scotch and Irish Peers as may not be Representative Peers to sit in Parliament for life, said, he would state to the House that the object which he had in view was to introduce in the electoral system, by which Representative Peers were permitted to sit in the House of Lords, something of that principle which was sought to be introduced, and which in some instances had actually been introduced into the election of Members of that House, by what was generally known as the minority clause. Another object which he had was to give power to the Crown to summon Peers to Parliament from Scotland or Ireland by their Scotch or Irish titles. With regard to the first of those points, so far as Scotland was concerned, he proposed that at the general election of Representative Peers for Scotland no Peer should have more than ten votes; he did not make any proposal with regard to by-elections of Scotch Peers following therein the precedent which was set in the minority clause as applied to the Members of that House, an illustration of which they had just seen in the election for the City of London consequent on the death of Mr. Bell, where the minority clause became inoperative, there being only one Member to elect. Then, with regard to Ireland, he proposed that the Irish Peers, who were elected at present only one by one as vacancies occurred, should henceforward be elected in batches of three, and that at those elections no Peer should have more than two votes. Of course, it might be said that by the election of Irish Peers in batches of three the practical effect would be to diminish the number of Peers by two, inasmuch as it would be necessary to wait until there were three vacancies. But he wished the House to bear in mind that there was another measure contemplated, under which it was proposed to release four Irish Bishops from their attendance in the House of Lords; and therefore if it should be thought desirable to increase the number of Irish Peers, it would be very easy to do so by adding two to their number. Even without such an addition he thought his next clause would prevent any injustice being done. The next clause, and the last, was one which he thought the House would entirely agree with. It was that the Crown should have power to summon the Scotch and Irish Peers in Parliament either by their Scotch or Irish titles, the Peers so summoned to be Peers of Parliament for life and for life only. In applying the operation of the minority clause to the election of Representative Peers, he felt confident that if that House passed the Bill it would be accepted by the other House, which it more especially concerned; because it would be in the recollection of everybody that the minority clause came down during the last Parliament from the House of Lords to that House; and therefore he thought that they would not object to apply that principle to their own House. With regard to the objection which was made to the operation of the minority clause, so far as Members of the House of Commons were concerned, it did not hold good with respect to the election of Representative Peers, because the argument which was made use of, that the minority of one constituency might prove the majority of another, had no force when they were speaking of the election of Representative Peers. Then with respect to summoning Peers by their Scotch or Irish titles. He was quite aware that it was always in the power of the Crown to confer an English Peerage on a Member of the Scotch or Irish Peerage, and he did not see any reason why they should not have the same chance of being made Peers as an English country gentleman. Yet that hardly met the case, because an English Peer must be an hereditary Peer. Some time ago, when he was looking over the list of Peers in *Dod,* in reference to that matter, in order to see how many were on one side, and how many on the other, he came to a title formerly borne by a friend of O'Connell's, an Irish Peer, who had been created a Peer of the United Kingdom, the present holder of which was put down as a Conservative, this showed that conferring English titles on Irish Peers was a blundering and awkward way of redressing the balance. Moreover, when such Peers went into the House of Lords, they went into it not as Scotch Peers or Irish, but as English Peers, and they had precedence only according to their title in the English Peerage. Take, for instance the Duke of Argyll. He was a very great man in Scotland, as they all knew. He was the Macallum More, and yet he sat in the House of Lords merely as one of the Barons, and only had precedence as a Baron. It was difficult to obtain precise information as to the political opinions of some of those Peers who were not in Parliament. He (Mr. Stapleton) would only say that, so far as his own opinion went, the minority in each case consisted of about a third, so that it would be five Scotch, and ten Irish Peers, or in all fifteen. Of course, upon a division in the House of Lords that counted for thirty. He was anxious to have it understood that he brought forward that question, not in the interest of the Scotch and Irish Peers, but in the interest of the community at large. He could not conceive anything more dangerous than a collision between the two Houses. He sat there as a strong Liberal; but, at the same time, he had an earnest desire to preserve the institutions of the country. He would go as far as any man in that House in the direction of reform but not of revolution. But the mode of election of Representative Peers being what it was, if there was any collision between the two Houses, unless the majority of the House of Lords upon the question was more than thirty, the whole collision would arise, not out of any misunderstanding between that House and the hereditary Members of the other House, but out of a misrepresentation, or rather an inaccurate representation of the two subsidiary Peerages; and it might be, unless the Bishops redressed the matter—and they had been told by the Archbishop of York that they were the Liberals of the House—that a majority of twenty hereditary Members of the other House might be in accord with the Members of that House, notwithstanding which a great crisis might arise which would be entirely attributable to the misrepresentation of the Irish and Scotch Peerage. He trusted therefore that he should be permitted to bring in the Bill; for he was quite sure it would meet with the approval of the other House. At all events, they would have the opportunity of making any Amendments to it which they might think proper. In conclusion, the hon. Member moved for leave to introduce the Bill.

Mr. GLADSTONE: Sir, I do not perceive any disposition on the part of the House to refuse leave to the hon. Member—to my hon. Friend if he will permit me to call him so—to introduce this Bill, and I hope he will not think I am taking too great a liberty in the suggestion which I am about to make. I think the argument in favour of the principle for which he contends is irresistible; it is impossible not to see that the arrangements for the election both of Scotch and Irish Representative Peers are unsatisfactory and require re-consideration. The case has been stated in the speech of the hon. Member sufficiently, though very briefly, to develop the irresistible strength of the general proposition that there should be a change in this respect. And yet if I might give a recommendation to my hon. Friend, it would be that he should be satisfied with the introduction of the Bill, and that he should not attempt at the present time to press it further. I should not certainly venture to make any recommendation of the kind in a manner implying the slightest derogation from the title of any Member of this House to introduce a Bill, or of this House to pass through all its stages a Bill affecting the constitution of the House of Lords. The House of Lords has at all times exercised its unquestionable right of passing and of modifying or rejecting measures affecting the constitution of this House. The rights of the two Houses in this respect are incontestable. At the same time, as a matter of policy, I think my hon. Friend will agree with me that it is desirable that the initiative should be taken by the House of Lords itself in legislation of this kind. Any decided attempt on the part of this House or of any party in this House to modify the constitution of the House of Lords, particularly at this special period, and with the questions that are likely to come before the House of Lords during the present Session, might produce an effect which, for the time, would be injurious. I think my hon. Friend must also feel that it would be judicious that some time, at any rate, should be afforded to the House of Lords to consider the state of its own subsidiary arrangements in detail, after the very great change that has taken place in the representation of the people and the constitution of the Lower House. And until we come to the conclusion—which I hope we shall not come to—that there is no likelihood that an effort will be made by the House of Lords itself to improve the existing arrangements, we ought not, I think, to show too great an eagerness to take the matter into our own hands. That is the recommendation which I venture to make to my hon. Friend, with great respect and deference. He will understand that it rests on grounds of general prudence, and that it is not offered by way of derogation either from his purpose or his argument, but, on the contrary, in furtherance of that argument and of the cause which he has at heart. If he is disposed to accede to that suggestion, he will probably find that the fruits produced by the efforts which he now makes will be beneficial and without any admixture of dissatisfaction or inconvenience.

Motion *agreed to.*

Bill to alter the mode of electing Representative Peers in Scotland and Ireland, and to enable the Crown to summon such Scotch and Irish Peers as may not be Representative Peers to sit in Parliament for life, *ordered* to be brought in by Mr. STAPLETON, Colonel FRENCH, and Colonel STEPNEY.

Bill *presented*, and read the first time. [Bill 41.]

SALE OF LIQUORS ON SUNDAY (IRELAND) BILL—[BILL 29.]

(*Mr. O'Reilly, Mr. Pim, Mr. Peel Dawson.*)

SECOND READING.

Order for Second Reading read.

MR. O'REILLY, in moving the second reading of this Bill, said that he would not trouble the House with any lengthened statement with regard to it. He must, however, make a few remarks, as notice had been given of an Amendment for the rejection of the Bill. Great interest had been for some time felt respecting the limitation of the hours for the sale of intoxicating liquors in Ireland. Three years ago, in consequence of the representations made to him, he undertook to bring in a Bill on the subject, which he did as a tentative measure. This measure, which was similar in its object to the present Bill, although unlike in its provisions, passed a second reading. It was then ordered to be referred to a Select Committee; but July having arrived, it was too late to begin to take evidence, and the Order was discharged. Last year he again introduced a Bill, which was read a second time and referred to a Select Committee, who examined a number of witnesses, upon whose evidence the present Bill had been drawn. He would now point out how far the authority of the Select Committee might be quoted in favour of the Bill. The Select Committee proceeded by Resolution, and they first resolved that—

> "The hours for the sale of intoxicating drinks on Sunday, and the other days enumerated in the Bill be from two p.m., to seven p.m., except in the towns to be hereafter defined."

They next resolved that in other towns to be afterwards defined the hours to be from two p.m. to nine p.m. These Resolutions were passed unanimously. They had then to define what constituted a town under the second Resolution—whether a population of 2,000 or 5,000—and after a division the latter was carried. The evidence conclusively proved that it was desirable to diminish the hours for the sale of intoxicating drinks, and that these hours could be shortened to the advantage not only of the consumers, but of the sellers. All the witnesses, with two exceptions, were in favour of a limitation of the hours. They consisted of stipendiary magistrates and others, and ministers of religion, although he would not rest his case on the evidence of the latter class, as they might be supposed to be prejudiced in favour of sobriety. Mr. Ralph, President of the Association of the Spirit Grocers of Dublin, was in favour of limiting the hours even more than was proposed by the Bill. The Mayor of Cork, a gentleman largely engaged in trade, was of opinion that the public-houses might advantageously be closed at an earlier hour in the country, and that even in Cork they might be closed at eight or nine o'clock. Mr. Barry, President of the Cork Vintners' Society, assented to the hours being fixed at from two to nine on Sunday. Two witnesses, indeed, stood out against any diminution. One was Mr. Cary, President of the Licensed Victuallers of Dublin; and, even he, when pressed with the question whether the hours might not be safely reduced, replied that he thought if there was to be any alteration it would be the best course. As to the other adverse witness, Mr. Porter, an ex-police magistrate, as he was against any restriction whatever on the sale of liquors on Sunday or on any other day, his testimony would probably not be considered of much importance. The hon. Member for Cork (Mr. Murphy), in opposing the measure of last year, took this ground—he considered it undesirable to make any change in the hours of selling intoxicating drinks in Ireland until the system of licensing houses for the sale of intoxicating drinks had been altered. Now, he (Mr. O'Reilly) believed all who had studied the question were agreed that the whole licensing system, both in Ireland and in England, was in a very unsatisfactory state, and he had urged the Government to bring in a Bill to re-organize and regulate that system. But he protested against its being said that they should not diminish the hours of selling intoxicating drinks on Sunday in Ireland until the very large and complicated question of licensing had been settled. At the same time, if the Secretary for Ireland gave him the assurance that he was in a position to grapple with that question, and desired that this Bill should be postponed until he could deal with it, he would at once accede to the suggestion. His present proposition was only to diminish the number of hours for the sale of intoxicating drinks by two hours in the evening in towns and by four in the country. The last two hours in the public-house were useless for the labouring class, who required to be early at work the following morning; and those hours were also the most productive of drunkenness. Public opinion in Ireland was strongly in favour of the Bill. Only two petitions had been presented against it, one from Cork and the other from the City of Dublin. The petition from Cork was signed by 700, but of these 500 were publicans, leaving only 200 to represent the general community. There had also been a petition from Cork, signed by 700, presented in its favour. He confidently appealed to the Chief Secretary for Ireland whether he was not aware, as the result of his large experience, that public opinion there was greatly in favour of the principle of the Bill. If the principle were affirmed by the second reading, the Bill could not go into Committee before the middle of May; and in the meantime those who were interested in the matter would have ample opportunities for considering its particular clauses.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. O'Reilly.*)

Mr. MURPHY, in moving that the Bill be read a second time that day six months, said, that, if the measure had been a simple one to close public-houses in Ireland at nine o'clock on Sunday, and would have been made applicable to the country parts as well as to the towns, although it might have aggravated, under the present system of licensing, the evils complained of, he should not have moved an Amendment to it. He reminded the hon. and gallant Member (Mr. O'Reilly) that neither the Bill of last year nor the Bill previous to it passed a second reading as a matter of course, but were referred to a Select Committee, before whom a considerable amount of evidence had been taken. Now, one of the main reasons for my agreeing to the appointment of a Select Committee on this subject was the expediency, and indeed necessity, of inquiring into the general system of licensing, with a view to the correction of the abuses which it is believed that system has engendered; and the hon. and gallant Member must no doubt recollect the opinion expressed by me, and the appeal I made to Lord Mayo, then Chief Secretary for Ireland, as to whether the Select Committee then to be appointed had scope or power enough to deal with the subject and report thereon. The noble Lord's opinion was that the Committee would have such a power, but the result, however, disclosed the contrary, and in fact the Committee did not report at all on the subject. However, amongst other witnesses who had been examined before the Committee was the Chief Commissioner of Police in Dublin, who stated that the legitimate business of the public-houses in Ireland had been trenched upon by the beer-houses and spirit grocers' establishments, and who gave it as his opinion that any alteration of the law in the direction indicated by the Bill ought to be accompanied by a considerable change in the licensing system. He did not admit that the Committee had agreed to the principle of limiting, pure and simple, the hours of keeping open public-houses in Ireland, and he, therefore, differed from the construction which the hon. and gallant Member had put on their Resolutions in that respect. He had last year consented to the second reading of the Bill solely upon the understanding that it was to be referred to a Select Committee, which should inquire into the whole system of granting licenses, and he was very strongly of opinion that such a Bill should not be agreed to until some legislation had taken place with respect to licensing. He was quite convinced that, until some alteration was effected in the licensing laws, it would be perfectly useless to restrict the hours for the sale of liquor as was now proposed. It would be better, therefore, he thought, to wait until the whole subject could be grappled with by the Government than to deal with it by means of bit-by-bit legislation, which could only aggravate the evil which it was intended to remedy. Independently of this consideration, however, the Bill contained a principle which he could never sanction, and that was what was called the permissive principle. This, if carried into execution, would enable two-thirds of the ratepayers to dictate to the minority in the matter of drinking, which was an infringement of the liberty of the subject he could not sanction. The Bill would in short restrict no less than 5,000,000 of the population of Ireland to the hour of seven o'clock in the evening as the hour at which the public-houses should be closed. In his opinion this legislation was useless and irritating, and believing that it would be better to relegate the whole subject to the Government and let them deal with it, he moved, as an Amendment, that the Bill be read a second time that day six months.

MR. STACPOOLE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Murphy.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. DAWSON said, he regretted that the hon. Member for Cork (Mr. Murphy) had continued his opposition to this Bill, which was calculated to do much good. He was in hopes that the hon. Member, after listening to the evidence given before the Select Committee on this question, would have come to the conclusion that a measure of this sort was necessary. The provisions of the Bill appeared to be of a most harmless character, and to embody legislation which was loudly called for. A most moderate restriction upon the sale of liquor was proposed, and in the interest of morality and order he hoped that that restriction would be agreed to. There was reason to fear that drunkenness was on the increase in Ireland, especially in large towns, on the Sunday; and as the interests of travellers and the general convenience were consulted by the Bill, which enlisted the support of Presbyterians and Catholics alike, he hoped that the opposition to the second reading would not be persisted in.

MR. BREWER said, that the medical profession and the justices of the peace had testified that the great amount of ardent spirits which was consumed tended largely to the increase of disease, pauperism, and crime, and thus indirectly to the increase of the public taxation. That being the case, it was time that the House interposed with some legislation on the matter. It had been said that such a measure as this ought not to be introduced until the licensing system was remodelled; but if they did so they would then be told to wait until some restriction was proposed upon the opening of the licensed houses. It was the old story of Lord Chatham waiting for Sir Richard Strachan, and Sir Richard waiting for Lord Chatham. If Parliament were responsible for the punishment of crime, there was no harm in their trying to prevent crime, and on that principle he should support the second reading.

MR. CHICHESTER FORTESCUE said, that two points had been clearly established by this discussion. One was that the present licensing system was seriously defective and gave rise to well-grounded complaint; the other, that there was a widespread desire in Ireland in favour of some further restriction upon the sale of intoxicating liquor on Sundays, that feeling not being confined to one class or creed, but being shared, as the hon. Member (Mr. Dawson) had stated, by the Presbyterians of the north as well as by the Catholics of the south. These statements were true, whatever effect they might have upon the ultimate fate of the Bill, and they both supported the appeal which he should make to his hon. Friend (Mr. Murphy) not to reject the Bill at its present stage, but to allow it to go forward to Committee. As to the licensing system, he did not know that he could reply in very definite terms to the appeal of his hon. Friend (Mr. O'Reilly); still, when he, sitting on the Treasury Bench, admitted that the present state of the law was unsatisfactory and mischievous, this was a tolerably plain acknowledgment that it was incumbent upon the Government, in due time and at the proper opportunity, to deal with that system. Without going any further at present, he should be glad of time to look into the matter and see whether he could, upon a subsequent occasion, state his opinions more definitely to the author of the Bill and the House. As to the strong feeling which existed in favour of the Bill, that was also a reason why his hon. Friend (Mr. Murphy) should give the people of Ireland further time to look into the provisions of the measure and consider them before the House finally decided respecting them. Although his hon. Friend was not sanguine of any good to be effected by restrictions upon the sale of drink on Sunday, until the licensing laws were placed on a better foundation, he did not refuse his assent to a certain amount of restriction in this direction. There being, therefore, evidently some room for a compromise, and the proper time to deal with such a compromise being in Committee, he would recommend his hon. Friend to allow the Bill to reach that further stage.

Mr. MURPHY said, that, after the appeal just made to him by his right hon. Friend, he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 26th May.

MARINE MUTINY BILL.

On Motion of Mr. Dodson, Bill for the regulation of Her Majesty's Royal Marine Forces while on shore, *ordered* to be brought in by Mr. Dodson, Mr. Childers, and Mr. Ayrton.

Bill *presented,* and read the first time.

House adjourned at half after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, 10*th March,* 1869.

MINUTES.]—Select Committee—Poor Law (Scotland), *debate adjourned.*

Ways and Means—*Resolutions* [March 9] *reported*—Consolidated Fund.

Public Bills—*Ordered*—*First Reading*—Inclosure Awards (County Palatine of Durham)* [44]; Consolidated Fund (£8,406,272 13*s.* 4*d.*).

First Reading—Representation of the People Act (1867) Amendment* [43].

Second Reading—Contagious Diseases (Animals) [1] *negatived*; University Tests [15] *debate adjourned*; East India Irrigation and Canal Company* [8].

Referred to Select Committee—East India Irrigation and Canal Company* [8].

Mr. Chichester Fortescue

CONTAGIOUS DISEASES (ANIMALS) BILL—[Bill 1.]

(*Lord Robert Montagu, Mr. Selwin-Ibbetson.*)

SECOND READING.

Order for Second Reading read.

Lord ROBERT MONTAGU said, he rose to move the second reading of the Bill. It had not been his intention to detain the House with any statement upon this subject, but he had been reminded that this was rendered necessary by the number of new Members recently returned to Parliament, who could not be supposed to be familiar with the legislative action that had taken place in former years. He had introduced the Bill thus early in the Session because, judging from the divisions which occurred last year, he believed that the opinion of the House was not against the principle of the measure. Since his Bill had been laid upon the table the Government had hastily framed and introduced a measure which they had not previously contemplated; or which they had considered and cast aside as unnecessary. The energy which they had evinced since his Bill had been printed, and the rapidity with which the Government scheme had been concocted, in order "to cap" his Bill, had excited his wonder and even admiration. Some were under the delusion that he intended to run his Bill against that of the Government. That, however, was not the case; for the two measures related to different branches of a great question, and in nowise did they trench upon or interfere with each other. They did not profess to cover the same ground or aim at the same end. The Government Bill dealt with the movement of cattle inland; his Bill dealt with the arrival of foreign cattle. Their Bill was directed against the existence of diseases in this country; his was designed to prevent the importation of new disease. The rules of the House prevented him from discussing the two measures together, but he hoped they would both be referred to the same Committee, and then they could be considered together, and they could be made to harmonize with each other and form one measure. Some had taken upon them to assert that this was a question of the interests of the producers of stock against the interests of the importers of stock; and that all attempts at legislation respecting foreign cattle were made in the interests of the home producers. This he emphatically denied; the contests of twenty-four years ago were not to be revived; his measure was introduced in the interest of every class of the community. But let those who had the hardihood to make such an assertion, and to oppose the Bill on that ground, consider for a moment the meaning of their assertion; let them contemplate what a support of the foreign cattle trade, against the English cattle production, amounted to. There were in this country, according to a late Return, 45,500,000 acres under cultivation or bearing stock; and calculating the capital employed at the low rate of £4 an acre, we had £185,000,000 employed in agriculture. This was a large sum as compared with the capital engaged in the importation of cattle; the capital employed in the whole cattle importing trade did not probably amount to more than a hundredth part of it. The assertion to which he had alluded, then, amounted to this: the smaller interest was to be supported to the detriment of the larger; the interests of the foreigner were to over-ride the interests of this country. Formerly farmers had been of little account and their wishes had been little heeded, because they were scattered and separate; they had no unity, no organization. Chambers of Agriculture had now, however, changed this state of things; the farmers had the amplest opportunities given them to discuss their position and interests; and their wishes had been so strongly and so unitedly expressed in favour of the Bill under consideration that it would not be becoming in the House to refuse to give the Bill its most earnest and careful consideration. The numerous attendance in the House so early on a Wednesday was a sign that the pressure of these Chambers of Agriculture was already felt. Let him warn the House how they resisted the pressure, because these Chambers were so young; they were an infant Hercules in the cradle. When the cattle plague first broke out two systems of legislation had been inaugurated. The aim of the first was to stamp out the pestilence, and consisted entirely of internal regulations; the most stringent restrictions were placed upon the movement of cattle, accompanied by a wholesale slaughter of all infected beasts. The farmers had made up their minds that these serious losses were necessary, and they bore it all with patience. The aim of the second system was the prevention of an access of new disease. The first of these systems was now in abeyance, for the plague had been stamped out; but the second was not, and could not be in abeyance, because the danger of disease being imported from abroad was ever present; nay it was increased by the increase of railway communication with the east of Europe. The Bill of the Government was founded on the first system; it was with this second system that his Bill proposed to deal. The two Bills therefore did not clash; they did not meet on the same ground; for the second system was entirely overlooked by the Government measure. He did not, by any means, oppose the Government measure; he desired that both Bills should pass, in order that we might have a whole, and not a partial legislation. For what had been the result of the combination of the two systems of which he had spoken. Not only had the plague itself been stamped out, but also three other cattle diseases of foreign origin, had been reduced from a proportion of 42½ per cent to 1 per cent. These three diseases had, however, increased to 30 per cent since the restrictions upon the movement of home cattle had been removed. That was a proof that there ought to be strict regulations enforced even now with respect to the removal of cattle from one part of the country to the other; and farmers said, "We are ready to submit to your restrictions on the free movement of our cattle, but we hope you will deal justly with us, and prevent the access of new disease to our shores; put equally stringent restrictions on the importation trade; then each trade will be on the same footing, and our cattle will be preserved." They did not murmur at the harsh sanitary regulations at home; but they demanded to be made secure against a re-introduction of the plague from abroad. Indeed, that Bill would be most unjust which imposed home restrictions, while it permitted a constant influx of disease *ab extra*. What measures had already been sanctioned by previous Governments in order to attain this security? Lord Palmerston's Government totally prohibited the importation of cattle. That failed, and compulsory slaughter of all beasts at the water-side, together with the option of quarantine was tried; but quarantine had totally failed; only one quarantine ground had been established; and that had never been used, because a beast was found to be not worth the additional expenditure after having been in quarantine twenty-eight days. The result was that only one town had applied for a license, and that was Southampton, where in only one case was the quarantine used, and that was in the case of two beasts sent as a present to the Prince of Wales. While he was at the Privy Council Office, on the 11th of October, 1867, a new system was devised to give facilities to trade—that of separate markets. The principle on which this system rested was that the only security against contagion from foreign cattle was to prevent contact between foreign and English beasts. The prevention of that contact was of the most vital importance; for no other means of security, no plan which would absolutely prevent infection, and be a bar to a fresh access of disease, could be devised. And yet how urgent the necessity! Every year railways extended further into the east of Europe, where the cattle plague was chronic; every year foreign countries competed more with us for meat, and every year we had to extend the range of our trade; every year, consequently, the danger of importing the disease increased. If the disease declared itself immediately, the danger would be comparatively slight; but the period of incubation was variously described as from five to twenty-three days, and by the most scientific and authoritative witnesses, had been put down at from ten to fourteen days. During that time an animal might have the disease, during that time it might be continually affecting others, and yet not even the most experienced veterinary inspectors could possibly detect it. Now, a diseased beast might start from the east of Europe, and arrive in London in six days, —long before the period of incubation was over. Or an infected beast might arrive in Munich or Berlin, and there mix with healthy beasts on their way to England; these formerly healthy beasts would arrive in England in three days, with the germ of the disease in their systems, and before it showed itself the herd would be scattered throughout the country, and the mystery of the case would be increased, when it was known that those beasts had never come from the east of Europe or from any infected district. The only preventive against this was the creation of separate markets, which would give free scope to both the foreign and home trades. If a town desired to have both trades, then let it; but let the markets be separate; let all contact be rigidly guarded against. That was the principle upon which we had devised the system of separate markets. Some of the smallest seaports chose to have only an English market; larger towns required two markets, an English and a foreign market, and had found only convenience and benefit to result. But the largest town of all had only one market. That is to say, the system had been adopted throughout the country with the exception of London. There it was found impossible to force into motion an inert Corporation, which did not care sufficiently for the good of the surrounding country to expend those funds in forming a market which it loved to lavish on banquets. We had no means of forcing the Corporation, and could not forbid the foreign importation altogether; the trade was too large for that, and the demands were too urgent. We had, therefore, to content ourselves with the cumbrous metropolitan regulations as the only means of preventing contact between foreign and English beasts. Yet these metropolitan regulations were bad in two ways—first, they were of no avail for carrying out the vital principle of non-contact; and, secondly, they were, on the whole, a most useless as well as costly and cumbrous machinery. The size of the metropolitan area was 117 square miles. Cattle were landed from abroad chiefly on Saturday; they then remained on the wharves during at least twelve hours for inspection. The inspection was necessarily hurried, and consequently imperfect. Those beasts which were found to be diseased were slaughtered at the landing-place; this was a great inconvenience, from the want of proper slaughter-houses and the absence of any market or buyers; the remainder were passed from the docks to the metropolitan market; two-thirds of these were sold and then driven through the streets back to the vicinity of the place where they had been landed; the remaining third were sold and scattered throughout the whole metropolitan area to the various private slaughter-houses. This arrangement did not prevent contact between foreign and English cattle; it was of no avail whatever in this respect: the cattle were driven through the streets, they passed dairies on their road where the cows poked out their noses to smell the passing herd and take the disease, and their manure was sent out into the country to infect the cattle on any farm where it might be used. It was by this means that the disease was first carried into Hertfordshire, in 1865. Beside this, a foreign beast might be driven from the market to a meadow half in and half out of the metropolitan area, and by merely walking across the field it would be on ground from which it might lawfully pass all over the country. Moreover, the traffic manager of the South Western Railway had stated in evidence that foreign cattle were constantly sent down his line. Foreign sheep, too, might go all over the country if they had not been imported in the same ship with cattle. And it was well known that they were a means of carrying the contagion of cattle plague. So the disease might break out at any time; there was, in fact, no security whatever against a new access of disease into the country through the metropolitan market. In fact, this had already occurred, only nobody became aware of it. In May, 1867, Mr. Gebhart imported forty beasts from Galicia, Hungary, or Podolia, or some neigbouring principality, he knew not whence; they were fine-looking animals, and sold for a good figure to graziers or butchers within the metropolitan area. After a week one of the buyers returned to him and said that one of the beasts had proved to be diseased; and, on inspection, it was found that these beasts had introduced a new type of cattle plague; not the Steppe Cattle Plague, to which we had become accustomed, but the Galician Plague. The result was, that 200 head of cattle had to be slaughtered to stop the disease which these forty had introduced. Three things were to be remarked in this case—first, the importer did not know where the cattle came from, whether from Galicia, Hungary, or Podolia; secondly, they had passed through Berlin after inspection—and a certificate of the Prussian veterinary inspector had been shown at the Privy Council Office in proof of this; and, thirdly, they were passed by our own inspector as healthy, and had been in the country a week before the mischief was discovered. If that occurred once, might it not occur again? The metropolitan restrictions, therefore, were of no avail whatever to secure us from a fresh access of disease. The same witness, in speaking of an importation of sheep, said the sheep had been put into a field adjoining "his valuable herd," and in saying so he let slip an ejaculation which showed that he recalled the fear and emotion which he had felt on that occasion. He said—"Damn it, they put the sheep in the field next to mine." I stopped him, and asked the cause of his alarm. He said that the sheep had come from abroad, and for aught that he knew to the contrary they might be infected. There was another case, which happened while the cattle plague was in the country. There being at one time an imminent danger of its breaking out in Friesland—because some symptoms of infection had been observed—immediate measures were taken to sell the infected cattle in the English market. Steamers were telegraphed for to take the cattle over to England, and they came in very large numbers. After a week the Dutch Government telegraphed to the Privy Council Office to take care, because cattle plague had broken out in Friesland. But by that time the harm had been done. There were other examples, but he would not detain the House by dilating on them. What he had said was sufficient to show that there was no security afforded by the metropolitan regulations. He would not on the present occasion show how cumbrous they were, nor what inconvenience they caused, for no benefit; this he had done last year. But he would remind the House that this inconvenience was very useless. Why should these foreign beasts go to the metropolitan market at all? Two-thirds of them went there at great expense and trouble and injury to the beasts, only to return again to Whitechapel and the East-end, so that two-thirds of the foreign trade was inconvenienced for the convenience of the other third. An absurd regulation! These metropolitan regulations being in every sense utterly futile, what substitute can be proposed? The Vice President of the Council had said that they would stop the importation of cattle from infected places. It would be utterly impossible! You will not know that a place is infected until the mischief has been done. In this Friesland case, for instance, the cattle had come over first, and a week afterwards the Dutch Government telegraphed to us to take care—when it was too late. We could not have intelligence in sufficient time, and therefore there was no security in the world that we could keep out infected cattle by saying we should exclude those that might come from such and such places where the infection prevailed. But even if we could know in time, still it would be impossible in the nature of things. The cattle from abroad were shipped at two ports; but they mostly came through one port—namely Gestemunde. From Prussia, from Silesia, from Galicia, from Hungary, from Bohemia the cattle arrived on the quays at Gestemunde and were shipped, so as to arrive in London on the Saturday for the Monday's market. Thus cattle were brought together from every country of the interior, without the least attempt at separating or classing them. Now, he would ask, how were we to separate the cattle coming from the infected places from those which came from the uninfected? It would be utterly impossible, and if it were possible it would be of no avail, for the rest would be infected. But suppose it were possible; suppose the cattle coming from Bohemia, for example, were to be slaughtered at the water-side, then they would be slaughtered either where there were no slaughter-houses, no market, no buyers, no conveniences whatever; or else the local authorities would be asked to make, for a few cattle, a market which would, in the long run, have to be supported by rates and tolls; and in that case the few cattle would not make the market pay the interest on the outlay of capital. The Vice President of the Council, the other night, seemed to think it would be quite sufficient to forbid importation at the time when there was any disease prevailing, and to leave the trade free at all other times. The objection to that was that a very great shock and consequence disturbance to trade would be occasioned. We had a great importation from Holland; suppose that we heard that the plague was there, and we issued a prohibition that no more cattle was to come from that country; yet people must eat; the same amount of cattle must come from somewhere. Some fine morning you issue your edict forbidding the importation of the thousands of cattle from Holland. On the instant some other place must be found where those thousands of cattle can be procured. Where, then, should we get our cattle from? A great shock or jar and disturbance to trade would thus be occasioned, and did we suppose that the wheels of trade could run smoothly all the while? Even a great iron steam-engine is injured by being checked suddenly or suddenly put out of gear; and do you expect that you will not injure so delicate a structure as a trade, with all its credit and fears and sympathies? It would be a great deal better to say at once—"We will allow the trade to flow on for ever and ever in a certain channel," and have no more shocks and disturbances; because then it would be found that the trade, which was a most elastic thing, would accommodate itself by degrees to the altered circumstances. But if on a sudden we were to turn back some 80,000 or 100,000 cattle from a particular country, we might go far and wide without being able to find another from which so many could be obtained, and the people of England would have to do without them. Besides, we could not have a separate market unless it was to be a permanent market. A market requires a site, and a system of drainage, and buildings, and appliances, a quay and landing-places; for all of which capital must be sunk. Will this be undertaken for the time during which you may please to forbid importation? They might as well ask him to believe that a man would build a house upon a three years' lease. If Government were to ask the local authorities to make a market they must undertake that it would be permanent. These were his objections to the two plans at which the Vice President seemed to hint the other night, and which his party had devised, and so vehemently supported, as their conceptions of what the policy of the nation should become. The next question then was, was there any danger? He need not address himself to that question, because the Government confessed it, otherwise why bring in a Bill on the subject? why desire to legislate for it? why maintain any restrictions whatever? Well, then, he would ask, would they weaken the present safeguards, or keep them as they were? If they weakened them, and the plague came in, then the Government would have incurred a serious responsibility, for they would have wantonly injured the country for the sake of the prejudices and prepossessions of their party. But if they were to maintain the safeguards, then they would, in fact, be making them permanent, which was the very thing he desired. It was true that he desired something more; but what he desired would make little difference to all the outports; for in them the system was already established. And that little difference would be a sensible benefit. It would be a benefit to the seaport towns financially, because it would make the markets permanent, and it would be worth while to expend money upon them. In the next place, what were called separate markets were not in the legal sense markets at all; they were merely confined areas with sale licenses. But the Bill would make markets in these places, for the market clauses would apply; and it would enable the local authorities to make all the regulations that they thought desirable, and they would have power to impose tolls and market rates, and thus pay off the expenses of the market. Besides, under this Bill they would have most extensive borrowing powers. To all the outports, therefore, it would be a great advantage. With regard to the metropolis, it would have to provide separate markets for foreign meat; or, in other words, instead of having a metropolitan area of 117 square miles, the local authorities would have to provide one or more — six or seven areas, if they liked—for the landing and slaughtering of cattle, instead of the many private slaughter-houses which could not be under control, and had long been condemned as nuisances and serious injuries. The local authority need not have the expense of constructing these markets even; they may confer their powers on one or more persons or companies, who would then have the same power as the authorities of the outports. Then we should no longer have a third of the foreign cattle wandering over the town to private slaughter-houses spreading infection as they go. Those private slaughter-houses had always been regarded as a great nuisance, and in 1854 an Act was passed to abolish them in twenty years—that was, in 1874. If anybody would like to know what a nuisance those private slaughter-houses were he had only to compare them with the *abattoirs* in Paris. The *abattoirs* were as clean as possible, there was no smell there; the manure was all saved; the meat was kept hung up pure and sweet; in fact, one might go into them as into a drawing-room. But let them visit the private slaughter-houses of London. In the most densely-populated places, they would find behind the dwelling-houses a filthy dirty place, stinking and reeking enough to taint the meat and pollute the neighbouroood; this was used for the slaughter-house which supplied your table. Besides, part of the blood was lost, the manure was lost, and there was loss everywhere. Moreover, the cattle must now be driven through the streets to these private slaughter-houses, and everybody knew what a nuisance that was. The Corporation of London wanted to get rid of the nuisance of driving cattle through the streets, and had expended large sums of money on a dead meat market. It had been argued that these small slaughter-houses were a convenience; but one of the witnesses who appeared against the Bill last year told the Committee that twenty-five of the large wholesale butchers had their slaughter-houses in one immense place in the east of London, which, he said, was the greatest convenience and benefit to the locality, because persons came from a distance of four or five miles to buy meat at wholesale prices, thus dispensing with the middleman. So that it appeared from the evidence of this witness against the Bill of last year, that it was of the greatest benefit to have slaughter-houses congregated together. Whether in the case of the outports or in the case of the metropolis the question was the same. The question was, what were we to do with the foreign fat cattle in the few days between the landing and slaughter? Ten days were now allowed instead of six, as formerly, but the cattle were seldom left to live so long, because the beast lost so much in weight and deteriorated so much in quality—becoming "muddled" (as the butchers term it) that it was the interest of the butcher to kill them as soon as possible. The question then was—Where shall the beasts be killed? Shall they be killed in private slaughter-houses all over the town, or in an *abattoir* at the water-side? Should we send only the available parts inland, and leave the guts and hides in the east of London, where there were manufactories to consume them; or should we carry the animals inland, at the risk of spreading infection, and afterwards send back the guts and hides, at increased expense and inconvenience, to be consumed? He had paid the greatest attention to the objections which were urged before the Committee of last year, and to all the objections which had since been started in the public Press; and all that appeared to be of the slightest weight seemed to come under one head—namely, "If you have separate markets, you will raise the price of meat." Now, if anyone proved to him that it would raise the price of meat to the poor man, he would not proceed further in the matter. Why should it raise the price of meat more to send only the available parts inland than to send the entire animal inland, and then have to send back the guts and hides again? Some people answer, "Because meat will not travel." He denied it altogether. Folkestone was now supplied with dead meat from London, so were Brighton and most of the towns in the south; the same might be the case with towns on the east and west. The very best meat we had in London was brought as dead meat from Aberdeen, a distance of 500 miles. A late Member of that House who now adorned the House of Peers, and who had been a Cattle Plague Commissioner, had told him that he regularly got his meat from Tiverton, because it was cheaper and better. Besides, fish could travel, and fish was much more perishable than meat. Fish was at its best the moment it was caught, and every moment afterwards it deteriorated; but meat was not at its best until five or six days after it had been killed, and it was not until after that time that it began to deteriorate. And yet fish could be sent hundreds of miles to London; *a fortiori*, so could meat. Moreover, dead meat travels better than live animals. Beasts sent by rail from Aberdeen lost £5 per head in value, to which loss must be added the amount of freight. After a long distance the flesh got what the drovers called "muddled"—that is, feverish, and the meat of such animals would not keep so well as the meat of beasts which had been killed at the other end of the journey. Therefore the mere sending of foreign cattle in the dead state would not raise the price of meat on the ground that meat will not travel, for meat did travel, and would travel better than the live animal. Hence the Bill would not tend to confine the foreign supply to the seaports; for it could be sent inland, and would arrive in a better state for being killed beforehand. Therefore the proposed measure would not, from this cause, raise the price of meat at all. Well then, how could the price be raised by what he proposed to do? It must be either because fewer cattle would come from abroad, or because the price of meat would be artificially raised in this country. He would first deal with the latter alternative. During the cattle plague, when all beasts were slaughtered by the water-side, was the price of meat raised? Separate markets were established on the 11th of October, 1867, and what was the result? Was the price of meat raised thereby? When he was at the Privy Council Office he obtained the prices of meat at various places—Liverpool, Birmingham, Southampton, and the metropolitan market—for he regarded these as "prerogative instances" of the prices of meat; and he would give some of the figures. In Liverpool, in 1863, the highest wholesale price of meat was 7¾*d.*, the lowest 5*d.* Meat rose throughout the country in 1864, even before the arrival of the cattle plague in the autumn of 1865, and was at the highest for the first nine months of 1866; it then fell, and remained steady during 1867. Well, the highest price at Liverpool was 9*d.*, the lowest 5*d.* After the establishment of separate markets in Liverpool the price actually fell, and in 1868 the highest was 8*d.* and the lowest 4*d.* The price was somewhat lower in the inland towns than in the seaport of Liverpool. In Manchester in 1866 the highest price was 8½*d*; in 1868 the highest was 7¼*d.* At Birmingham in 1866 the highest price was 8½*d.*, and in 1868 it was 7¼*d.* Throughout all the towns the prices ruled highest until October, 1866, when there was a fall. He spoke of the wholesale prices alone, for a reason which would presently be apparent.

With regard to the metropolitan market, in 1864 the highest price was 9*d.*, the lowest 5¼*d.* On the 24th of March, 1866, an Order was issued that all foreign cattle should be killed at the water-side, and meat fell in price, the highest being 8¾*d.*, the lowest 5¼*d.* On the 27th of April, 1866, foreign cattle were no longer killed at the water-side, but were allowed to go to the metropolitan market alive. At once prices rose; the highest price was 8¾*d.*, and the lowest 5¼*d.* During the rest of the year the highest price was 7¾*d.*, the lowest 4¾*d.* Well, that proved that the separate market system had not had the effect of raising the price of meat. But he would tell the House what had. It was the butchers. It was they that put on enormous profits and made meat dear. How was that? The reason was, that there was a forced sale of cattle in London. The London butcher only could compete as a buyer in the metropolitan market; for the country butcher could not remove the beast alive out of the metropolitan area, and he had nowhere to kill it. The butcher then hung back; he would not give the price, yet the beast must be killed within a limited time, and the farmer was obliged to come down. The London butcher took the beast home and killed it, and then came the competition. The Dover man, and the Brighton man, and the Folkestone man, all bid for the meat, and the London butcher, though he bought the animal cheap, because there was no competition there, could sell it dear, because there was competition after the beast had been killed. It was that which gave the retail butcher or middleman his large profits. In support of that opinion he would quote the authority of Dr. Trench, of Liverpool, in a letter to Dr. Williams of the Privy Council Office. Dr. Trench said—

> "I do not consider that the importation has affected the price of meat to the consumer in the slightest degree; but, indeed, during the whole of the cattle plague the price of meat has never been regulated by the relative amount of supply and demand. I know that when cattle from Knowsley and other parts in the neighbourhood of Liverpool, and from the whole of Cheshire, were sent in overwhelming numbers, and at the very lowest price, to Liverpool, and when on account of the heat of the season meat could not be kept nor safely sent to other towns, yet the butchers absolutely increased the price to the consumer under the pretext of the existence of cattle plague. But though the importation of foreign cattle has not lessened the price of meat, the restrictions of the quarantine have been used as an apology for the continued high price maintained by the butchers."

It was not the farmer's interest but the butcher's which raised the price of meat. If farmers obtained a higher price, other producers would step in to compete—that is, a foreign trade would at once be attracted. But if the English producer receives a low price, the foreign trade is repelled. The high price which the middleman obtains does not affect the trade, because you shut out the competition of other middlemen. What destroyed the foreign trade, then, was that there was too little remuneration for the producer, and what made the poor suffer was that the consumer had to pay such a high price to the retail butcher. Moreover, if they allowed foreign beasts to get inland alive they would raise the price of meat; in the first place because of the risk. Farmers felt, as had been testified in evidence, that there was a risk in rearing cattle, and ceased to do so. Secondly, if cattle plague were re-imported, the numbers of animals which would be lost would greatly raise the price of meat. And, thirdly, the cost of transit of the guts and hides must come out of the price of the meat, and thus increase the price of it. So much then for the artificial raising of the price of meat in this country. He now turned to the investigation of the other alternative. Would fewer cattle come over from abroad? Would prices be raised by a diminution of importation? He must remind the House that prices did not depend on importation, but importation depended on prices. That was the very A B C of political economy; and yet, the case of those who opposed the Bill last year rested on the assumption that the price would rise because the importation would become less under the Bill. The foreign producer learned the price of beasts in England, he knew the price abroad, and calculated whether the price which he would receive in England would not only cover the cost of the freight but give him a profit. If it did he would export, otherwise he would not. If the farmer here received a high price for his cattle the foreign exporter would therefore be induced to send foreign cattle over. That was stated by a Prussian witness before the Committee in answer to Question 6880. That question was—

"What guides you in exporting to Belgium or France, instead of England?—It depends upon prices; I send where I can get the best return."

"When prices fall in England, you send to France or Belgium?—Yes; I send wherever the prices are best."

It would follow from this that whenever there was a fall in the wholesale price of meat they would see a diminution in the number of cattle imported. This corollary was fully borne out by the facts. For instance, in 1861 the price was 5*s.* a stone, and 107,096 head were imported. In the autumn of that year the price fell to 4*s.* 8*d.*, and in 1862 only 97,887 cattle were imported. There was a rise in price during the autumn of 1862 to 5*s.*, and in the succeeding year, and so 150,898 head of cattle were imported in 1863. There was a rise again the year following 1864 to 5*s.* 6*d.*, and 234,686 were imported, and then came the abnormal years of cattle plague. In the autumn of 1866, and in 1867, there was a serious fall down to 4*s.* 10*d.* a stone for prime beef, and as low as 3*s.* 4*d.* for inferior beef, and the importation declined to 117,620. It must be borne in mind that these were the wholesale prices, not the middleman's prices. With respect to mutton, the case was still more apparent. In 1861, when the price of mutton was 5*s.* 10*d.* a stone, 312,923 head were imported. During that year the price fell, and in 1862 only 299,472 head were imported. During 1862 the price rose from 5*s.* 4*d.* to 5*s.* 10*d.* in 1863, and the imports rose to 430,788 head. The price rose to 6*s.* 9*d.* in 1865, and the imports rose to 914,170 head. A fall in price to 6*s.* was followed by an importation of 790,880 sheep in 1866. And a further fall to 4*s.* 10*d.* in 1867 caused a falling-off in importation to 534,788 head. Hence he said generally that importation depended upon prices. He said "generally," because a proviso must be added. If something comes between the supply and the demand, then the balance is disturbed; if there is a third grasping hand between the price and the trade, the general rule may not hold good. In 1845, the energies of the House were directed to destroy Protection, which was the third grasping hand of the Government. In the trade of the present day the third grasping hand was that of the middleman. It is the middleman who makes the price high to the consumer and low to the producer; it is the middleman, therefore, who repels trade. In the meat trade the middleman is the retail butcher. His exorbitant profits are the cause of the dearness of meat, which every one in this House knows to his cost. If these prices were not grasped by the middleman's hand, but flowed on to the producer, then trade would be stimulated, competition would arise, and the prices would be forced down to the normal level. But the middleman grasped large profits in his great butcher's fist, and the producer got only what he let slip through his fingers; so the foreign trade became dead; the forced sale destroyed competition; and all suffered except the butcher. Well, then, what cared he when he heard—as he had heard vociferated often enough,—"This Bill would destroy the retail butchers?" All the witnesses that came before the Committee last year said, "Your Bill will ruin the 5,000 retail butchers in London." He acknowledged it; but this would cheapen meat to the consumer; because it would destroy the grasping hand which came between the producer and the consumer, and that would be gone which now purloined the profits and deadened trade. The price to the consumer would be less, and the price to the producer would be higher by the amount of the middleman's profits. And then trade would be stimulated and prices would fall. Now, the question reduced itself to this—the Bill could not lessen the number of home cattle in the whole country, it could lessen the supply then, only by turning the trade into another channel. It could do this, if it did so at all, only because either the freight was cheaper or because there were no middlemen to get large profits in the country to which the trade was turned. In other words, the trade would be turned only if the producer found a higher remuneration elsewhere. But this Bill could not affect the freight in one way or another. The only manner in which it could effect the price would therefore be by getting rid of the middlemen, which he had shown it would do. But the argument against the Bill was that it would raise the wholesale price of meat. Yes; it would do that; and therefore it would make it better worth while for the foreign producer to send over his cattle. That is to say: this measure would draw trade to England, while it also increased the supply of home cattle in England; or meat would become more plentiful. This Bill, therefore, would not injure trade. That which injured the foreign trade was distress among the working classes; or the reduction of the number or pay of the hands in mills and manufactories. Whenever there was great distress among the working classes there was injury to the foreign trade, because there was less consuming power here. That had been proved before the Committee by the evidence of Mr. Thomas Rudkin, the chairman of the City Markets Committee, who was examined by the hon. and learned Member for Oxford (Mr. Vernon Harcourt). Mr. Vernon Harcourt, having extracted from the witness that "the great distress, and because the poor people of London were very badly off from want of work" caused the falling-off in the foreign cattle trade, asked (Q. 6278) "The consuming power of the population is very much less?—No doubt of it." The poor had less money to spend last year, and that it was which had injured the trade. In support of what he had stated, he hoped the House would allow him to quote a few figures. He would first show that, as a matter of fact, the slaughtering Order, and the separate markets had not had the effect of diminishing the foreign supply. France and Holland had no imports of cattle; Belgium had; but France exported very few cattle annually. The exports of cattle from Holland to the United Kingdom during 1867 amounted to 20,360. Separate markets were established throughout the kingdom on October 11, 1867, and did that injure the trade? Did we get fewer cattle from Holland in consequence? Not at all, for in 1868 our importations from that country amounted to 32,590. With regard to sheep, in 1867, we imported 116,260 sheep from Holland, and in 1868, 182,440. Then, again, the exports of cattle from Belgium, which were nearly all to the United Kingdom, were in 1867, 11,096, and in 1868, they were four times as many, or 45,759. In 1866-7, for every two oxen which Belgium imported, she sent one to the United Kingdom; but in 1868, for every three which she imported, she sent us two. So, in 1866, out of every two sheep which Belgium imported, she sent us one; and in 1868, for every two, she sent more than one to us. It was clear, therefore, that the separate markets in the United Kingdom had not injured the foreign trade. The right hon. Member for Newcastle (Mr. Headlam) opposed his Bill, but the petition he presented, showed that he and his constituents were not agreed on the matter; for the complaint of the people of Newcastle did not arise from their having a separate market, but from their having that separate market so far off—a very different story. The right hon. Gentleman's constituents had reason on their side. In 1866-7, the weekly average of cattle imported into Newcastle was 797, taking the twenty-seven weeks from the middle of August to the 17th of February. In 1867, the separate market was established in Newcastle, which he supposed caused a slight disturbance of trade; for in the same twenty-seven weeks of 1867-8 the weekly average fell to 634; but in 1868-9, when the separate market had got into working order, there was an enormous increase, for it rose to 1,117. Again, in the sheep trade for the same periods there had been a constant increase—the figures for the three periods being 5,128, 7,717, and 10,210. Hence, the separate market, established in October, 1867, so far from decreasing, had increased the total supply. The Vice President of the Council had picked out the case of Hull as one—the only one—in which the importation had been very large before the establishment of the separate market, and smaller afterwards. It was true that the importation was much larger at Hull in the year before the cattle plague than it was last year; but the reason for that, as shown in evidence before the Committee of last year, was that the former importation was abnormal; it consisted of store stock, which had been introduced as an experiment, but they were the means of introducing the cattle plague into Yorkshire; after which the importers would have nothing more to say to store stock, and imported only fat stock. Besides foreign store stock have always and everywhere found to be a loss and failure. He would next refer to the effect of the Order of August 20, 1868, which condemned imported sheep to be killed at the water-side. The arrivals of foreign sheep in London during the week ending February 1, 1868, were only 311 head; in the same week of 1869, they were 821; in the week ending February 8, 1868, they were 144; while in the same week of 1869, they reached 1,239; in the week ending February 15, 1868, the number imported was 33, and in the corresponding week of 1869, it was 2,442. In the week ending February 22, 1868, the number was 1,848; while in the same week of 1869, it was 4,407. That showed that the slaughtering Order had not diminished the foreign supply. He had made some extracts from the reports of the metropolitan market with regard to the imports of sheep after the issue of the slaughtering Order, which took effect on September 1, 1868. Among the extracts were these—

> "End of September.—We continue to receive a fair supply, and as many as 7,000 were collected at the water-side on Monday last.
>
> "End of October.—Notwithstanding that prohibitory measures against the removal of foreign sheep have continued in force, fair supplies are still forwarded from the Continent, the arrivals during October having amounted to nearly 18,000 head, the whole of which, after being slaughtered at the water-side, have been sent to Newgate and Leadenhall markets for disposal."
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> "End of November.—Although the regulations compelling the slaughter of foreign sheep at the place of debarkation are still in force, foreign graziers have not been deterred from sending their stock to this country, and the arrivals during the month have amounted to 18,162 head, the whole of which have been killed at the water-side."

That was a plain proof that the order for slaughtering sheep at the water-side—a thing much worse than a separate market, because there were not the conveniences to the buyers of such a market—so far from diminishing the importation of sheep, had been followed by a very large increase of the trade; and, *a fortiori*, a separate market would not have the effect apprehended by its opponents. He had been considering the foreign supply only. Now, he would consider the total supply of meat, dead and alive, foreign and British, first for London, and then for the United Kingdom. He might mention that the following calculation had been made by Mr. Algernon Clarke, the Secretary to the United Chambers of Agriculture. Adding together both the home bred and the foreign cattle, sheep, and pigs sold in the metropolitan market, and reducing them to tons weight, he found that in 1867 the total quantity was 97,033 tons, of which 37,055 tons were foreign. Similarly, in 1868, 108,885 tons of meat were sold in the metropolitan market, of which 29,495 tons were foreign. Hence, although the foreign supply had slightly diminished throughout the year, yet they had a larger total supply of meat; and he begged the House also to observe how very small the foreign supply was in proportion to the home supply. Adding to the live animals the amount of dead meat brought to London from abroad, and also from the provinces, he found that the total consumption of London in 1867 was 180,861 tons, of which the foreign animals were only 37,000 tons, or one-fifth of the whole. In 1868 the total consumption of London was 192,713 tons, of which the foreign animals were only one-seventh part. It followed that the total supply of meat to the metropolis has increased; and, secondly, it must be felt how much more anxiously we should guard against the destruction of the home supply, than against that paltry percentage of foreign trade. This was fully borne out by an undoubted authority. For Mr. Caird, in his pamphlet on *Our Daily Food; its Prices and Sources of Supply*, gave the proportion of foreign beef and mutton to English as only one-ninth of the entire supply, for the United Kingdom. Another most competent authority—the hon. Member for East Norfolk (Mr. Read)—had made very minute calculations, from which it was shown that the total production of dead meat in the United Kingdom was 1,222,048 tons in the year 1868; that 53,968 tons of this were imported alive from abroad, and 10,680 tons were imported dead; so that the total foreign supply was 64,378 tons, and the total consumption of both foreign and British meat in the United Kingdom was, 1,286,426 tons; of which, therefore, only 5 per cent was imported from abroad. Allowing for the inferiority of the foreign meat, the proportion in money value of foreign to British meat was 4½ per cent. Why, even if anybody were mad enough to exclude the foreign importation altogether they might easily increase the home supply to a greater extent than 4½ or 5 per cent. They would do more than this by decreasing those diseases, by which they now lost a greater proportion of their flocks and herds than that. He would in the next place advert to the dead meat trade. The dead meat trade was growing, and it was a great blessing to the people that it should be gradually supplanting the trade in live animals. In 1853 the total supply of live and dead at Smithfield was 155,328 tons; of which the foreign was 15 per cent, and the dead meat from the provinces 24¼ per cent. In 1863 the total supply of live and dead at the London market was 228,656 tons, the foreign being 17½ per cent, and the dead meat from the provinces 30 per cent. In 1867 the proportion of dead meat to live animals had risen to 45 per cent; or, taking the fourteen years from 1853 to 1867, the arrivals of dead meat in London from the provinces had increased 73 per cent, while the importation of foreign animals had increased 57½ per cent. In the metropolis two-thirds of the animals which came to the metropolitan market were killed for the dead meat markets of the metropolis; that is to say, the consumers went to the dead meat market to supply themselves with this amount. This is leaving out of account the dead meat which came from abroad and from the provinces. It is two-thirds of that which has been enumerated, in the foregoing calculations, as live animals, which are disposed of in the dead meat markets. Since the new Smithfield market has been opened, the proportion which was disposed of as dead meat was probably far greater. The dead meat trade had therefore an evident tendency to increase. This tendency should be encouraged. It is for the advantage of the people; it will diminish the nuisances, it will decrease the risk of infection. The Bill of the right hon. Gentleman the Vice President of the Council (Mr. W. E. Forster) was an excellent Bill as far as it went, but it dealt with only one part, and that not the most important part, of a great subject; and he warned the Government that if they rejected the system proposed by his (Lord Robert Montagu's) Bill, they would incur a very great risk of bringing the cattle plague or other diseases again into this country. This Bill, if it were even to injure trade, could possibly only touch 5 per cent of the total supply. He was sure that it could not even touch that. But, on the other hand, let the House consider the enormous loss to the country from the cattle plague as compared with the importation of foreign animals. The total number of cattle slaughtered, and of cattle that died, from, or on account of, cattle plague in the years 1865, 1866, and 1867 was 290,527. Now, the total number of cattle imported into the United Kingdom from 1842 to 1867, both years inclusive, was 2,590,296—that was to say, in two years they lost from cattle plague more than one-eighth of the cattle imported within the twenty-five years previous to 1867, including the three years of extraordinary importation during the cattle plague. In conclusion, then, if the Government rejected a Bill which had for its object the security of the country from cattle disease in future, and passed only a Bill for restricting the movement of cattle within the country, they would incur a heavy responsibility, and be guilty of a gross injustice to the agricultural interest. All he asked was that his Bill should be read the second time in order that it might be referred to the same Committee of the Whole House as the Government measure. The two Bills deal with separate systems or methods of security; they do not cover the same ground. Why should the House not have the opportunity of considering them as a whole and amalgamating them together? Let the memory of a great disaster and the effects of the suffering of two years of cattle plague deter the representatives of that people which had suffered from rejecting a Bill which would place them in a position of security for the future.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Robert Montagu.*)

MR. HEADLAM said, he was sorry that the noble Lord (Lord Robert Montagu) had thought it necessary to press this Bill; because his doing so placed him (Mr. Headlam) in a position that he was not at all desirous of assuming, that of apparent antagonism to many of his hon. Friends who represented rural districts. He really believed there was no substantial difference of interest on the part of the different portions of the community in relation to that subject. Whether as consumers or as producers they were all anxious to prevent any new danger of disease breaking out among their flocks and herds. Such a national calamity was to be avoided by every reasonable and proper precaution; but they must look at the question in a large way, and not allow their precautions to be the means of stopping for all future time the admission of a most material part of the food of the people. Having taken all the precautions that were reasonable and necessary, they must put their trust in Providence, and hope that health, and not disease, would continue in future to be the normal state of beast as well as of man. The noble Lord (Lord Robert Montagu) said his Bill did not trench on the same ground as the Bill of the Government, which, the noble Lord alleged, applied only to the stamping out of the disease among home-bred cattle. That was an entire misapprehension, for the Bill of the Government dealt, whether rightly or wrongly, with the whole subject; and, considering that that was not in any way a party question, surely when the Executive Government undertook to legislate on the matter, the natural and ordinary course would be for hon. Gentlemen on both sides to unite in an endeavour to make their Bill as perfect as possible. The introduction of a rival Bill, and the reference of the two Bills to a Select Committee, could only produce delay, and, perhaps, would altogether prevent legislation on the subject that Session. There was nothing to hinder the noble Lord from proposing his clauses as Amendments in Committee on the Bill of the Government, and having them fairly discussed. An exceedingly anomalous and uncertain state of the law would arise if they adopted the noble Lord's Bill, for it sought to perpetuate the existing Acts relating to the diseases of animals, which were not only numerous, but complex, and left the law in a condition in which it was most difficult to discover what were the precise provisions applicable to a particular trade. By enacting, as he proposed to do, that all those existing Acts—some nine in number—should be made perpetual so far as they were in force at the time of the passing of his Bill, and yet that they should be subject to the provisions of his Bill, the noble Lord would render the present law still more confusing and uncertain than it was already. On the other hand, the measure of the Government gave a clear and complete code, showing what was the law on the whole matter; and any improvements in its provisions which hon. Members could suggest might be easily introduced. But his main objection to the noble Lord's Bill was founded on its principle, which he conceived to be to make the separate market system a permanent and normal part of the institutions of the country, and applicable at all times to the introduction into this kingdom of foreign cattle, which were to be subjected to very rigid restrictions that would not be imposed on home cattle, and were to be slaughtered at the water-side. That would be perfectly fatal to the interests of Hull, where the importers wanted to send their cattle into the West Riding of Yorkshire, and it would be similarly injurious at Newcastle. He was aware that the noble Lord proposed to enable the Privy Council, by clauses of a very different kind, to make exceptions to the general rule he laid down; but it would be very unfair to the Government of the day to throw on them the responsibility of saying that in any part of the world the cattle were so safe from disease that in regard to it an exception might be made to the general law and policy of the country. Now, what was the principle of the Bill of the Government? That the normal state of things would be restored both at home and abroad; but that, at the same time, as they could not be absolutely sure that would be the case, they should vest in the Government in respect both to the home and foreign cattle trade ample powers of stamping out the plague wherever it might appear, and of isolating all places in the country where the disease had shown itself. Whenever there was reason to suppose that any danger of cattle plague existed, the Government would be armed—on the principle of *ne quid detrimenti republica capiat*—with power to take care immediately to prohibit importation; but, subject to that principle, the cattle trade for the benefit of all parties would be entirely free. The establishment of the separate market system was to all intents and purposes a return to the system of Protection ["No, no!"] He did not charge hon. Gentlemen opposite with intending to bring back Protection, but the effect of the separate market system on the cattle trade was precisely the same as if that were done. There was no part of the world freer from the taint of cattle plague than Spain and Portugal, and yet the effect of the system of compulsory slaughter at the water-side had been to destroy the trade in cattle imported from these countries at the port of Liverpool. In 1863 one firm in Liverpool imported from Portugal 3,857 head of cattle; in 1864, 3,140; in 1865, 2,820; in 1866, 2,525; in 1867, 1,164; and since then they had scarcely imported any at all. Similar results had followed from the establishment of separate markets at Southampton and other places, where the importation of cattle from Normandy and other parts of France, equally free from all suspicion of plague, had formerly been carried on. At Southampton the importation from Normandy had fallen off from 1,500 in 1866 to only 30 last year; and he maintained, on the strength of these facts, that, whether hon. Gentlemen opposite intended it or not, the consequences of the system which they wished to enforce were exactly the same as would follow a return to Protection. Then, in regard to Hull, speaking in July last year, the present Prime Minister said that in 1867 the working of the separate market system had greatly reduced the importations. That of sheep and lambs had decreased from 60,000 to 9,000; of pigs from 15,000 to 3,000, and of cattle from 41,000 to 15,000. What the noble Lord (Lord Robert Montagu) meant by the increase at Newcastle he could not understand, for he (Mr. Headlam) found that the number of cattle imported from Hamburg, Rotterdam, and Antwerp was 4,594 in 1865; 6,273 in 1866; 2,299 in 1867; and only 999 in 1868. These figures showed a great falling off, but, as the trade in 1866 was a growing one, he believed that if it had been perfectly free the number of beasts imported would have been at the present time three times as great as it was some years ago. The figures which he had just quoted showed with great clearness the practical working of the system which the noble Lord's Bill was designed to perpetuate. He would now direct the attention of the House to the manner in which it was proposed to carry out the permanent separate market system under the provisions of this Bill. The tenth clause of the noble Lord's Bill gave powers to the local authorities to erect separate markets for foreign cattle at the ports at which they arrived. The noble Lord would, he believed, find that there would be no great readiness on the part of the local authorities in large towns, and more particularly in the metropolis, to establish markets of that description. The Bill, however, provided that, at any time after its passing, the Privy Council might by notice in writing addressed to a local authority require that local authority to provide within a time specified in the notice, not being in any case less than one year or more than three years, a separate place for the landing, reception, sale, and slaughter of foreign animals; but if the local authority failed to do so, the Privy Council might certify the fact to the Board of Trade. On such a certificate being made the Board of Trade would be invested, "any Act, charter, prescription, right, or authority to the contrary notwithstanding," in lieu of the local authority, with all the powers conferred on the local authority under the Contagious Diseases (Animals) Acts in relation to the disposal of foreign animals, including the power of making charges for the use of places provided for the reception, sale, and slaughter thereof, and the power of borrowing from the Public Works Loan Commission, conferred by the fourth section of the Cattle Diseases Prevention Act 1866, but without the restriction imposed by that section on the borrowing powers of local authorities with reference to the amount of rate. The House, he believed, would not deem these provisions so valuable that they need go out of their way to pass this Bill at a time when a Government measure on the same subject was about to come under discussion. If the noble Lord thought fit, he might propose the insertion of these clauses in the Government Bill when that Bill went into Committee. He doubted, however, whether such provisions would be adopted, for the noble Lord presupposed that his plan was to be carried into effect by means of powers more arbitrary than had ever before been vested in any Government in this country. According to the noble Lord's notion of political economy, prices did not depend on importation, but importation depended on prices. Well, he (Mr. Headlam) should have said that a high price in this country would stimulate importations from abroad, and that large importations would necessarily diminish prices, and that importation would continue until the price fell below a certain standard. And this view was corroborated by the Report of the Select Committee, which inquired into the foreign trade in animals in 1866. As regards the movement of animals within the limits of this country, that Committee recommended that foreign and English cattle should be placed on precisely the same footing. What was the rule adopted in other countries? There was no country in which the Government were more careful to guard against the introduction of disease than France, and it appeared from the evidence given before the Select Committee that in that country foreign cattle were sold in the same market as French cattle. The Government of France took power to stop importations from any place where there was a suspicion of disease existing, and there was a veterinary inspector at all ports with power to stop cattle suspected of disease. With that exception there was free importation and free circulation. He should like to see the trade in this country regulated in the same way. The practice in France was to recognize the care taken in other countries. In Germany precautions were taken to prevent the introduction of diseased cattle. It might be that in remote parts in Transylvania and Hungary this disease was not guarded against; but even if so, the cattle could only come to this country by going through places where they were as careful as we were in this country. In his opinion, if the Government had good grounds of suspicion, it would be much better to prohibit altogether the importation of animals from particular countries, for infinite dangers would arise from the introduction of a system of special markets and compulsory slaughter. The proverb, "Give a dog a bad name and you may as well hang him," was applicable to the bovine as well as to the canine species, and under the provisions of this Bill the value of foreign animals on arriving in this country would be so much diminished that it would be better to prohibit their importation altogether. The tendency of the restrictions which had been some time in force had been to diminish the quantity of meat consumed in this country, and of course there were a large number of persons who were prevented by these restrictions from having so large a supply of food as they would otherwise have. In conclusion, he moved that the second reading of the Bill be postponed to that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Headlam.*)

Mr. NORWOOD said, it could not be denied that the present Bill treated only of one portion of the subject—namely, that connected with the foreign trade, whereas the Government measure dealt with the subject as a whole, and by consolidating all the statutes relating to it would form a complete code for the regulation of the home and foreign cattle trade in cattle. The noble Lord opposite had asserted that the ports were satisfied with and had benefited by the restrictions which had been imposed during the last few years; but this he denied, especially with respect to the port which he represented and which he believed had suffered more from those restrictions than any other port in the kingdom. In 1865, before any restriction was made, there were imported into Hull 45,862 oxen, cows, and calves; but in 1868 the numbers had fallen to 8,524. The noble Lord (Lord Robert Montagu) had endeavoured to account for the Hull statistics by saying that in 1865 store cattle were imported. But in 1866, when no store cattle were received, 26,000 oxen, cows, and calves were imported, so that store cattle could not account for the great reduction since that year. The number of sheep imported was 68,257 in 1865, and 16,000 in 1868; the number of pigs in the same years being, in round numbers, respectively 16,000 and 2,600; and the total number of animals used for food imported into Hull was 131,373 in 1865, and 27,462 in 1868. The cause of so great a falling off was easily explained. Before the imposition of the restrictions Hull used to supply the enormous populations behind the port, in Sheffield, Leeds, Huddersfield, and other large towns; but now this could not be done, because it was impossible in the summer months to carry on a large traffic in dead meat. There were hundreds of thousands of people in this country whose knowledge of animal food was almost entirely confined to offal, and it was impossible to convey offal long distances, especially in hot weather. The noble Lord had stated that if it could be shown that the Bill would have the effect of rising the price of meat, or of keeping the price high, he would at once withdraw it. Now, he (Mr. Norwood) had no doubt that the effects of the restriction would be to limit the supply and to raise the price of meat. It was impossible that there could have been such a great falling off in the importation as he had pointed out—a falling off which did not apply to one port only—without its having a sensible effect on the price of meat. He was not opposed to reasonable and necessary temporary restrictions where there was a suspicion of disease; but from places where there was no evidence that diseases existed, they should have free importation and free circulation of cattle in this country. He had, last year, stigmatized the noble Lord's Bill as a measure which contained within it a principle of a return to monopoly, and he still entertained that opinion. He felt it to be his duty to protest against permanent restrictions, the effect of which would be to increase the price of food to the consumers in this country, and to put money into the pockets of the agriculturists at the expense of those who could ill afford to bear it. In conclusion he said he had great pleasure in seconding the Amendment.

MR. READ said, the right hon. Gentleman the Member for Newcastle (Mr. Headlam) had rightly stated that the main principle of the Bill was to establish separate markets for foreign cattle only in order to stop these contagious diseases at the fountain head. He contended that the principle embodied in the Bill was no new principle, inasmuch as it had received the assent of the Cattle Plague Commission, with some slight reservations on the part of the hon. Member for East Staffordshire. What the supporters of the measure sought to effect was the establishment of a separate market for the slaughter of foreign cattle, with the view to put a stop by that means to the spread of a disease which had already produced such disastrous results in this country. Privy Council Reports informed us that a greater amount of meat than had ever been imported from abroad had been destroyed by sheep-pox, pleuro-pneumonia, and the foot-and-mouth disease; for, although it might be said that some of those diseases existed in England previous to any large importation of cattle from other countries, he must maintain they were never known amongst us until we began to import foreign stock, whereas they had existed on the Continent from time immemorial. The fact was it was impossible to produce those diseases spontaneously here, let the condition of the atmosphere be never so bad and the treatment of cattle never so brutal. Upon the other hand, he would venture to say, that if he were to take a handful of hay from the mouth of a bullock suffering under the foot-and-mouth disease and carry it several miles he might affect a whole herd with it, though they happened to be placed in the best possible position in a sanitary point of view. The right hon. Gentleman the Member for Newcastle had, a few days before, stated that the compulsory slaughter of sheep had completely destroyed the foreign trade in that class of stock in the borough which he represented; but it seemed that, while the importation of sheep into Newcastle had entirely ceased on the 28th of July, the Order in Council directing the compulsory slaughter was not issued until the 30th of August, so that the import trade came to an end a month before the Order was in existence. The trade revived in January and February last, and there were 452 sheep imported in the former, and 1,010 in the latter month, all because in the month of August the price of mutton went down to 5*d.* per lb., whereas in the month of February it had risen to 8*d.* The right hon. Gentleman had also told the House that the foreign trade in cattle had been greatly affected, and had referred, in support of his statement, to the years 1866 and 1867, when the home trade was suffering under all sorts of restrictions, and the foreign trade had a monopoly of the supply. But before the breaking out of the cattle plague, in the year 1864, the number of foreign cattle imported into Newcastle was 2,614; in 1863, 465; in 1862, 97; in 1861, 186; and in 1860, 1,169; while two years after, in 1862, the importation was under 100. It was impossible, therefore, that the right hon. Gentleman could prove anything from the figures which he had laid before the House, or make them serve any other purpose than to please his own constituents. The total supply of sheep in Newcastle for the year ending February, 1869, was 24,000, for the year 1868, 18,000, and for 1867, 16,000; and the inhabitants of that borough had, he thought, not much reason to complain of the increase in their market. In the port of Liverpool, from June to November, 1867, there were 7,000 sheep imported, and yet without any alteration whatsoever having been made in the Order in Council—there were only three sheep imported during the next six months. But it was urged that the high price of meat rendered it absolutely necessary that the restrictions on the importation of foreign cattle should be relaxed. In his opinion, however, that high price ought to have rather the contrary effect. As the House was well aware, high prices operated to bring stock from all parts of the Continent, and it therefore became all the more requisite that we should take due care that our home supply was not diminished by the introduction of disease. The real causes of the enhanced price of meat were to be found in disease and drought. The cattle plague, as the noble Lord the Member for Huntingdonshire (Lord Robert Montagu) had informed the House, had carried off hundreds of thousands of our stock; and the result had not, he believed, been at all exaggerated, for the very simple reason that, as the greater proportion of the cattle killed were cows, the progress of our young stock had been retarded for years. The tropical heat, too, through which the country passed last summer when the sky was like brass, and the ground beneath our feet like iron, was the chief cause of the high prices which at present prevailed. We had no grass, and very little hay. The root crop was destroyed, and the spring grain, which farmers used very largely in winter grazing, was only a half crop. Yet agriculturists were told, on the authority of the right hon. Gentleman the President of the Board of Trade, that they were never so prosperous as at the present moment. He could, however, assure him that there had never been so disastrous a summer for graziers as the last. From July to January we had been killing three sheep instead of two in the ordinary way to furnish the same quantity of mutton; or, in other words, 9,000,000 sheep, instead of 6,000,000. In January and February of this year he found that 27,000 sheep were imported into London, whereas, in the corresponding months of 1868, the number was only 16,000, although they were perfectly free to go where they pleased. That brought him to the question of the relative proportions of home and foreign supply, and upon that point he might be allowed to quote the high authority of Mr. Dudley Baxter, who said that the agricultural statistics for 1867, published by the Board of Trade, showed that there were in the United Kingdom nearly 9,000,000 head of cattle and 34,000,000 of sheep. By inquiries made of eminent agricultural authorities Mr. Baxter added that he found that the value of that live stock was about £150,000,000, and that every year we slaughtered for home consumption about 2,500,000 head of cattle and 12,000,000 sheep, of an estimated value of £60,000,000. Taking that calculation, which was, he thought, a fair one, although the estimate of sheep appeared to him to be somewhat under-stated, and comparing it with the importation of foreign cattle, he found the following to be the result:—The number of foreign cattle imported into this country and slaughtered during the past eight years averaged 170,000 a-year; but as the number might increase, it might be put at 200,000, or 1-12th of the number of home cattle which we annually slaughtered. The number of foreign sheep imported during the same period, averaged 500,000 a year as against 12,000,000 slaughtered at home; while the number of pigs constituting the home supply for 1867 might be put at 4,500,000, as against 50,000 foreign pigs imported during the same period. The result was that, if the weight of our own cattle and sheep—superior as they were to the foreign cattle and sheep—were taken into account, and the price of English meat put at 7*d.* per lb., and that of foreign meat at 6*d.* per lb., it would be found that the proportion of the foreign to the home supply of cattle was 1-12th; of sheep, 1-24th; and of pigs, 1-90th; or, to complete the table, it was 1-24th of the number, 1-18th of the weight, and 1-23rd of the value—in round numbers something like 5 per cent. The calculations of the noble Lord the Member for Huntingdonshire were therefore, he maintained, substantially correct. He had taken his calculations from a totally different source, but both gave pretty much the same result. Next came the question, to what extent London was supplied with foreign live stock. Taking the year 1867 he found that the weight of all the live stock was 97,000 tons, of which only

37,000 were foreign. But then it was said that the dead meat trade could not be developed, and that in spite of the facts we were every day having brought under our eyes. There were, for instance, nine railways which conveyed to London over 70,000 tons of dead meat, besides 10,000 from abroad, and 5,000 tons which came by rail, road, and ship, making in all 85,000, of which quantity let him suppose 5,000 tons went into the country, there would still remain 80,000 tons of dead meat which, together with the 97,000 tons of live stock, would bring the whole supply up to 170,000 tons, of which only about one-fifth consisted of foreign live stock. We must, he contended, increase the dead meat trade, and greater facilities for doing so existed now that a noble market had been built by the Corporation of London instead of the old market at Newgate. The dead meat trade was deserving of encouragement for more than one reason. The cattle would be killed without the torture of a long journey, and in a better atmospere; and, although it was said that dead meat could not well be sent long distances, how was it, he would like to know, that tons upon tons of it were sent from Aberdeen to London, and arrived at their destination in the best possible condition? In 1853 we had in London 38,000 tons of dead meat, or 24 per cent of the entire supply; in 1863, 69,000 tons, or 30 per cent; and in 1867, 80,000 tons, or 40 per cent, so that the quantity was on the increase. He wished, in the next place, to say a few words as to the arguments against the Bill. It was contended that the butchers were more likely to carry the cattle plague about with them than the cattle themselves; but, in reply to that argument, he would merely observe that those who used it would shut up the doctor in the hospital and let the patient loose. As to the objection that dead meat could not be sent five miles by railway without injury, he need only remark that it had been sent over and over again 500 miles without suffering in the slightest degree by the journey. It was, he might add, urged that the exemptions which the noble Lord had introduced into his Bill were absurd, but the House was not at that stage dealing with the clauses of the Bill, but with its main principle, and in advocating that principle he hoped he had placed fairly before the House the views which he entertained and the figures upon which they were founded. He knew it had been said that those who talked about bullocks could not be wise, but he might say with confidence that the question at issue was not a question of protection, but one of security against diseases the ravages of which were injurious to the whole community, and few more important subjects could, he ventured to say, occupy the attention of the collective wisdom of the nation.

MR. W. E. FORSTER said, he entirely concurred with the hon. Gentleman who had just spoken in thinking that the question before the House had nothing to do with Protection beyond the necessarily protective effect which the restrictions proposed were calculated to produce. But while he agreed with the hon. Gentleman to that extent, he wished to give the reasons why he objected to the second reading of the Bill, and in doing so he must ask the House to consider in what state the second reading would leave them for legislating this Session, and it was impossible in noticing the present Bill not to allude to the Government measure. He objected to the Bill under discussion because, in the first place, it was provided by the fourth clause that the present Acts relating to the subject on which the noble Lord the Member for Huntingdonshire (Lord Robert Montagu) sought to legislate should be made perpetual. The Government were of opinion—an opinion which seemed to have been received with favour on both sides of the House—that it was desirable there should not be more than one Act, whatever the principles might be on which legislation should be established. His first objection then to assenting to the second reading of the Bill was that the consolidation of the seven or eight Acts now in force would thereby be rendered more difficult. Again, the noble Lord had, in his opinion, not placed before the House very clearly what would be the position of the foreign cattle trade under the operation of his measure. He stated, indeed, that the Government had proposed no regulations with respect to that trade; but, in making that statement, the noble Lord laboured under a misapprehension, for the Government had in reality covered the ground of legislation both with regard to the foreign and the home trade. There were three modes in which the importation of foreign cattle might be dealt with. The principle of compulsory slaughter in the case of all foreign animals arriving at any of our ports might be laid down, or it might be left to the discretion of the Government to determine what foreign animals should be compulsorily slaughtered, or it might be provided that there should be no compulsory slaughter at all, but that foreign cattle should be freely admitted into our ports subject to inspection. Now, the last of these plans was not one which he believed was seriously advocated by hon. Members on either side of the House, and it had never entered into the minds of the Government that they could with safety admit the free entry into this country of all animals from foreign countries. At the same time he hoped, he should not be accused of exhibiting ignorance of the subject, if he were to say that whatever restrictions on importation we might impose, one of our main safeguards against the spread of the cattle plague must be regarded to be our power to stamp it out when it did occur. The hon. Gentleman who had last addressed the House had observed that one of the objections which had been urged against the establishment of a separate market was that the disease might be conveyed by a butcher from one place to another, and there could be no doubt that danger would still exist under the operation of the present Bill, unless the idea of exterminating all butchers were carried out by its author. But be that as it might, the Government did not for a moment intend to advocate the free admission of foreign animals. Then came the question whether a rigid rule of compulsory slaughter should be established, and the noble Lord had not informed the House whether he was in favour of laying down such a rule. He understood the right hon. Member for Oxfordshire (Mr. Henley) the other night to advocate a positive rule for the slaughter of foreign cattle, and if such were the general opinion of hon. Members opposite, it would be well to have the fact stated. It would, so far as the Government were concerned, be, of course, a great advantage to them to have no discretion left to them to exercise as to what animals should or should not be admitted from foreign countries, inasmuch as their responsibility would in that case be greatly diminished. Such a principle of legislation was not, however, he believed, seriously advocated on either side of the House. Indeed it was clear, from speeches which the hon. Member for Norfolk (Mr. Read) had made towards the close of last Session, that he was of opinion some discretion ought to rest with the Government in the matter, for otherwise he would not have argued that cattle might be admitted from Denmark and Sweden, or, as at present, from Spain and Portugal. He should like, then, to know from the noble Lord whether he proposed that there should be any discretion left to the Government by the Bill? In the 5th and 6th clauses the principle was laid down that foreign animals landing in our ports should be compulsorily slaughtered, but in the 12th clause, an exemption was introduced which — notwithstanding what had fallen from the hon. Member for Norfolk — he must look upon as one of the utmost importance, for it vested in the Government the discretion of admitting animals from such countries as they might deem fit without compulsory slaughter, provided they were not admitted from countries which had been visited by the cattle plague within a period of three years. Now, that was an exceedingly important provision, and he was surprised the noble Lord had made no allusion to it in his speech. What would be the effect of such a provision? It applied not only to the cattle plague, but to other diseases, such as those to which the hon. Member for Norfolk had referred; but how was it possible, he should like to know, for any Government to ascertain whether the cattle plague had existed for three years in any foreign country, or what was to prevent them from saying, if no proof were given them that it had, that they would then, as a matter of course, admit cattle from that country? The House might depend upon it that if discretion was to be vested in the Government at all, it must be given fully. Both the noble Lord and the hon. Member for Norfolk thought the Bill would not in reality interfere with the interests of the consumer, but he did not think that he need reply in any detail to their arguments on that head. The noble Lord laid down the doctrine that importation depended on prices, although prices did not depend on importation. The real fact, however, was that prices and importation depended upon one another, and that this was so the noble Lord would be convinced if he had had the advantage of dealing with importations as much as he had. It required no statistics to prove that if the natural course of a trade were interfered with, the prices in that trade must, to some extent, be affected. In order to show that this was the case in the present instance, it was not sufficient to compare the Returns for one or two weeks of this year with those for a similar period of last year. To arrive at a just conclusion, a larger space of time must be taken; and he found that while the number of foreign cattle imported in 1865 was more than 283,000, in 1866 237,000, in 1867 178,000, it was in 1868 only 136,000; the number of sheep imported being last year only 341,000, as against 534,000 in the previous year. If hon. Members were to look through the whole of the Returns, they would find that, as the restrictions in the trade were rendered more severe, the diminution in the amount of the importations became greater. A good deal had been said in the course of the discussion about the dead meat trade; and the House must, he thought, even in the interests of common humanity, desire to see that trade developed as much as possible. The way to effect that object, however, was not by attempting to foster it, or imposing any artificial restrictions in its favour. He had now stated some of the objections which he entertained to the Bill; but there was another to which he wished briefly to advert. Clause 10 referred to a local authority, by whom the separate market was to be provided; but the clause, was so far as he could see, a mere *brutum fulmen,* for there was no power of making the local authorities buy land for the purpose. If they did not, indeed, it was provided that the Privy Council might certify to that effect to the Board of Trade, who were, in that event, empowered by the 11th clause to make the market. But with whose money, he should like to ask, were the Board of Trade to make it? He did not read the Bill as providing that the particular district should be rated with the view to procuring the necessary funds. The Board of Trade would then, in all probability, be placed in such a position that they would have to apply to the Public Works Loan Commissioners; but what security could they give them for the advance of the money which they might require? It might be said that they could give the tolls as security—[Lord ROBERT MONTAGU: And the rates.]—He doubted whether, under the Bill, they could offer the security of the rates. But then the Loan Commissioners might refuse to accept that security. It was very probable that the Commissioners would refuse, and then what was to be done? But if they did not refuse, then the principle of the Bill would empower the Board of Trade at every selected port to speculate in the erection of a market, and the Chancellor of the Exchequer would have to make good any loss which resulted from that speculation. That was an important principle, and the House should consider it very seriously before adopting it. He opposed the Bill, first, because it would make the work of consolidation difficult; secondly, because, while admitting discretion, it did not define to what extent that discretion was to extend; and, lastly, because it would place this House and the Government in a position which would be found exceedingly embarrassing and difficult. He would now state how the Government proposed to deal with this question of the foreign supply. The Government went upon the principle of interfering as much as appeared necessary for the prevention of disease, and no more. They thought they ought to have the power to prohibit importation entirely from any country afflicted with the cattle plague, and that they also should have power to define what might be called suspected countries, from which animals should be imported on condition that they were slaughtered at the port of landing. Leaving out the three years' provision in the noble Lord's Bill, there was really no immediate practical difference between the two measures in this respect, because a discretion would be given to the Privy Council in both cases. The noble Lord would give them a discretionary power to admit cattle from any countries the Government thought fit; the Government measure merely said that they should exclude cattle from such countries as they thought fit. The immediate practical effect would be the same, though the principle was different, and he maintained that the principle in the Government Bill was the true one—

namely, to assume that foreign cattle as a rule were healthy rather than diseased. But then the noble Lord would no doubt say, "You yourselves look forward to a separate market. How do you mean to provide one?" The objection taken by the noble Lord was that it would be difficult to provide any separate market, because there would be no security that the Privy Council might not at any time exclude the site of the market from the area into which foreign cattle were admitted. Now that objection applied to the noble Lord's own Bill, but not to that of the Government, for Clause 27 fully provided for such a case. The Government thought that the local authorities ought to have compulsory powers to obtain land for the erection of a market, and also power to borrow money for the purpose upon the security of the market tolls and rates. The difference between the measure of the noble Lord and that of the Government was that they did not attempt to impose a limit of three years within which the local authorities were bound to provide a market, and did not, in case of the failure of the local authorities to make such provision, entail upon the Government the difficulty of providing markets throughout the country. But then, he might be asked, "What hope have you that the market will be provided?" Now, when hon. Members talked about the difficulty which existed on this point, what they all had in their minds was the case of the metropolis. There was no practical difficulty elsewhere; for, although it might be of advantage that there should be better slaughter-houses at some of the ports, there were none at which some provision did not exist within the defined area for the slaughter and sale of foreign cattle. Now, as to the metropolis, he had been in communication with the City authorities, and though there had not yet been time to take the opinion of the Court of Common Council, the Market Committee, which was an influential civic body, had empowered him to state that if the Government measure were passed into law, they would recommend, and fully expected the concurrence of the Corporation, that the separate market which would be necessary under the Bill, should be provided by the Corporation. At the same time there seemed to be great objection on their part to the Bill of the noble Lord, and, considering how it would affect them, he was not surprised at this. Under all the circumstances, he would ask the noble Lord not to press his Bill to a division. This was no party question, and the views of Gentlemen on both sides of the House would be much better met by a discussion of the Government measure. It was easy to raise all the points suggested by the noble Lord in Committee upon that measure. Amendments could be framed embodying all those views, and the House would then be much better able to arrive at a satisfactory decision than they now could. They would then also have more information as to the probability of the practical working of the Bill in London. It was generally admitted that when a question arose involving considerable detail and complications, the best text upon which you could discuss such a question with a view to legislation, was a Bill brought forward by the Government of the day. He therefore asked the noble Lord to withdraw his measure, but he should vote against it with the full understanding and desire that all the points upon which hon. Members might agree with the noble Lord rather than with the Government, could be raised, and should be raised, and should receive the fullest possible discussion, upon the Government Bill.

Mr. SELWIN-IBBETSON said, it had been objected that legislation on this subject would be postponed by acceding to the request of the noble Lord to refer this Bill to a Select Committee. But it never was the intention of the noble Lord to refer this Bill to a Select Committee. What was proposed was that the Bill should be read a second time and then referred along with the Government measure to a Committee of the Whole House. Parts of the noble Lord's Bill were well worthy consideration by the House, and the Government measure would be in no wise damaged if considered alongside of this Bill. He agreed with the right hon. Gentleman that a Bill emanating from the Government was far more likely to be a comprehensive and satisfactory measure than one brought forward by a private Member; but it would facilitate the discussion of the Government measure if the noble Lord's Bill were taken with it, and the really valuable parts of it were grafted upon the Government scheme.

MR. DENT said, he was not prepared to assent to the principle of this Bill. Whatever might have been the origin of the diseases which beset cattle in this country, he did not believe that they were now solely due to foreign importations, nor did he think that was the view of agriculturists, for one authority among them declared that other measures would be necessary besides the establishment of separate markets, and another advocated the establishment of separate markets for fat stock and separate markets for store stock. In his opinion, besides being preferable as a Consolidation Bill, the principle of the Government measure was a sound one, and the normal state of foreign cattle should be treated as healthy. He trusted there would be no trace of the unfortunate party contest which arose last year upon this question, for it must be the object of hon. Members on both sides to secure a regular, steady, and ample supply of meat for the food of the people. But all questions of difference might be fairly settled upon the Government scheme, and he therefore hoped the noble Lord would withdraw this Bill.

MR. J. LOWTHER said, he could confirm the statement which had been already made that his noble Friend never intended to refer his Bill to a Select Committee, but to combine the two measures and enable them to be discussed side by side in Committee of the Whole House. The right hon. Gentleman who moved the rejection of the Bill, and those who followed him on his side of House, had laid much stress upon the proceedings of the Committee of 1866 and the Royal Commission of 1867, but scarcely alluded to the mass of evidence taken before the Committee of 1868. Now, without wishing to attach undue preference to the latter body, of which he (Mr. Lowther) was a Member himself, he ventured to point out a great distinction between it and the similar bodies which had been referred to—namely, that in 1866 and 1867 the majority of the witnesses gave only theories as to the best methods of precaution, whereas last year the Committee was able to hear practical experience, which, unfortunately, too many in the country were in a position to afford, respecting the success or failure of various methods which were under consideration. It had been said that, particularly in hot weather, when the dead meat market was glutted, serious loss would result to the importer. That point was much considered in the Committee of 1868, and one of the witnesses (Captain Ralph Engledew), a gentleman of much practical experience, who had acted as superintendent of the large cattle traffic under the Peninsular and Oriental Company at Southampton, was asked by him whether, since the condition as to compulsory slaughter was in force, there were any means of regulating importations according to the demand. To this the witness replied—

> "There is no difficulty about that. The demand and supply are known with perfect ease among the dealers in cattle. We have, for instance, frequently as many as 3,000 or 4,000 dead carcases of sheep come in one ship, and twenty, thirty, or forty tons of beef brought from Hamburg and other places by steamers, which is landed at the wharf and taken away to the different markets; and I find, from the information I received from those gentlemen who deal in live and dead stock, that they use the wire so continuously that they keep their markets just to the point; that they never have an excess in the market over that which they can sell."

Then, with regard to offal, it was true that a great portion of the labouring classes were dependent upon this kind of food, and on this point Mr. Engledew said that great quantities were imported from Antwerp, Hamburg, and other places; that not only the picked parts came over, but the whole offal, packed in casks. It was not at all probable that this supply of offal would be diminished in any sensible degree in future, and any apprehension upon this score might be dismissed. He urged the adoption of such measures as would effectually insure the flocks and herds of this country against disease.

MR. NEWDEGATE said, that he supposed that the hon. Members opposite, who were calling for a division after having but just entered the House, did not know what had occurred during the debate; perhaps they did not care to know; but were quite ready to vote without knowing on what they were about to vote. That, however, was not the case with those who, like himself, had heard the debate. The right hon. Gentleman, the Member for Newcastle (Mr. Headlam), opposed the Bill before the House on the distinct ground that he objected to any separate market for foreign cattle, and to any permanent arrangements being made at the ports for the tempoary quarantine of foreign cattle by providing lairs and sheds, in which the cattle might be kept till they had been duly inspected. He (Mr. Newdegate) wished to know, whether this objection was entertained by the Government; for the right hon. Member for Bradford (Mr. W. E. Forster) had evaded this point while speaking, or rather, had disguised it. He therefore asked whether he was to understand that the Government intended to admit into their Bill a proposal for the establishment of quarantine in the case of foreign cattle, landed at certain ports to be designated by law, for the reception of foreign cattle, and provided with lairs, sheds, facilities for inspection, and with arrangements for separate markets in those places? It was said the Government measure proceeded on the assumption that cattle were healthy both at home and abroad, but in that case, what need was there for a Bill at all? It was the unanimous opinion of the leading veterinary surgeons of England that, unless quarantine lairs were provided, in which cattle could be kept for a certain number of hours after landing, inspection with a view to ascertain whether those animals were diseased or not was a perfect farce. He objected to allow any undefined discretion to be vested in the Privy Council. The case of Hull had been alluded to. What was the case of Hull? A large and unregulated trade in foreign stock had there arisen, until, unfortunately, the cattle plague was there imported. This naturally aroused the jealousy of the Government, and the trade was destroyed by the Orders in Council. He (Mr. Newdegate) believed that, in the interests of trade, in the interests of the consumer and of all classes of the community, it was essential that separate ports of debarkation should be established by law, so that the certainty should exist which was essential to all successful trade.

Mr. BRUCE said, it was not his intention to enter into the merits of the case. The question now before the House was whether the Bill of his noble Friend (Lord Robert Montagu) should be submitted to the same Committee as that which would consider the Government Bill. Now, he thought he could show that course would be most inconvenient and objectionable. The Bill of his noble Friend only dealt with the foreign importation of cattle, leaving out of sight the question of domestic disease and other points provided for in the Government Bill. But did it even deal completely with the importation of cattle? No, for it was grafted upon other Bills relating to this subject, and was merely a supplement to them. The Government measure, on the contrary, would, he thought, be regarded as setting a wholesome example of legislation, for it consolidated all the Acts relating to the subject. The Bill of the Government was, in fact, a code, dealing with the whole subject of cattle disease and importation, and it was impossible to engraft upon it a measure like that of the noble Lord, which did not depend upon itself but upon the Act of 1867, and upon Acts passed many years previously. Moreover, what was understood by referring Bills to the same Committee? It was, perhaps, in the minds of many Gentlemen that these two Bills could be considered side by side in Committee of the Whole House; that when one clause was dealt with in one Bill, a kindred clause in the other Bill could be set up against it and considered at the same time. But that was not the case. The only object gained by referring Bills to the same Committee was that when one had been considered and done with the Committee could continue the consideration of the second Bill without the necessity of reporting Progress on the first. Now he hoped it would be seen that it would be impossible to engraft his noble Friend's Bill upon the Government measure without entirely destroying the character of the latter as a Consolidation Bill; but it was quite possible for his noble Friend, and those who thought with him, to endeavour to embody the principles of his Bill in the Government measure by moving to amend the clauses of that measure. There was no great principle at stake between the two schemes, and the securities offered by the Government Bill were as great as those offered by his noble Friend, but the consideration of both Bills at the same time and by the same Committee was out of the question.

Sir GEORGE JENKINSON said, he did not think it right or fair to refuse to refer the two Bills to the same Committee, and should therefore support the second reading.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 197; Noes 253: Majority 56.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

UNIVERSITY TESTS BILL—[Bill 15.]

(*Mr. Solicitor General, Mr. Bouverie, Mr. Grant Duff.*)

SECOND READING.

Order for Second Reading read.

The SOLICITOR GENERAL: Sir, I am about to invite the House to assent to the second reading of this Bill, and in so doing I do not propose to detain the House more than a very few minutes, because this Bill is now an old story, and the subject with which it deals has formed so common a topic in the election addresses and speeches of hon. Gentlemen on both sides of the House that I think it is fair to presume that the leading arguments in favour of the change—the just change—proposed by the measure are by this time familiar to all of us; and, for my own part, as it has been my evil fortune to inflict three speeches already on the subject upon the House of Commons, I am sure hon. Gentlemen will rejoice to know that the materials altogether fail me for a fourth. There is one topic, however, that is new in the present discussion, and that is the presence of my right hon. and learned Friend opposite (Mr. Mowbray) in the fore front of this battle. For during the few years I myself have had a seat in Parliament my right hon. and learned Friend has observed a cautious silence on this matter, and I had been induced to hope that upon some points of the Bill, and those not unimportant points, there was an agreement in sentiment between myself and that learned and right hon. Gentleman. But my right hon. Friend is no doubt no longer quite his own master. He has been sent to this House as the representative of the Convocation of Oxford—of the constituency which rejected the right hon. Gentleman the First Lord of the Treasury, and which would have nothing to say to the distinguished services of my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer). Therefore, no doubt, my right hon. and learned Friend must needs do the bidding of Convocation. That he will do it well; that he will do it, so far as he can, in a genial and kindly spirit, I have known my right hon. and learned Friend for too many years to doubt; but I trust that he will excuse me if I say that he cannot as yet make up to the House for the candour and dignity, for the great gifts and the singularly lofty and stainless character which has been lost to the House by the absence from its debates of the right hon. Gentleman's distinguished predecessor, Sir William Heathcote.

The Bill now before the House is, as everyone who has taken the trouble of reading it will see, with one exception, and that a mere verbal alteration, an exact reprint of the Bill of last year, and like the Bill of last year it deals in a different manner, and upon different principles, with the two great subjects comprised in it, the Universities and the Colleges of which these Universities are mainly composed. With regard to the Universities, it compels that amount of religious freedom in regard to all the subjects of the Queen which the House of Commons at least by overwhelming majorities on previous occasions has declared that it thinks just and right. With regard to the Colleges, it only removes all restrictions upon their freedom of action which have been imposed from time to time by the authority of Parliament itself. It leaves the Colleges controlled by their statutes, it leaves them controlled by the feeling of their members, it leaves them controlled by all the associations which gather round them, and which are after all upon most men's minds as effective as any Parliamentary action can be, and it relieves them only from those restrictions which have been imposed from time to time by Acts of Parliament. I cannot but think that year by year the necessity of some such change will become more and more apparent. The discontent—the just and reasonable discontent—of those multitudes of persons who do not agree in all things with the Thirty-nine Articles of the Church of England is deepening day by day; and for my part I cannot but see with regret that men of high character and great attainments are every year lost to the Colleges, and lose themselves those just and honourable distinctions which are the due reward of their character and attainments, and which they would possess but for the restrictions which legislation has thought fit to impose. The Senior Wrangler at Cambridge this year was a Jew, and he is not the first person by any means who has, from a difference of religious opinion, been excluded from the just and right result of a course of academical distinction. I have myself known, not a great many, but several instances of persons, highly distinguished in both the Universities, who have been excluded from Fellowships in the Colleges, not from any active hostility to the Church of England, not from any strong or definite objection to this or that particular tenet of the Church, but because, as honest men, they could not say that in all things the doctrines and opinions contained in the whole of the Thirty-nine Articles exactly expressed their belief. Now it is only to enable the Colleges, if the Colleges themselves think fit, to alter this state of things that the Bill at present proposes to deal with them. I cannot but think that there is no ground, if the provisions of the Bill be looked into, for speaking of it as anything like a tyrannical interference with their liberties, still less as an act of spoliation, as I have before now heard it described.

It is fair to say, however, that there is one matter with which the Bill now before the House does not deal, but which, expressing my own opinion only, it appears to me cannot long be kept from the action of Parliament. I allude to the position which, at least at Oxford, the visitors of many of the Colleges are supposed under the present state of the law to maintain. I am not exactly aware how the matter stands at Cambridge; but at Oxford many of the most distinguished Colleges are visited not by the Crown, but by various Bishops, in virtue of the tenure of their sees, and it has been decided, upon very high authority, that according to the Oxford Act of 1854 these visitors can place a veto upon all alterations of their statutes by the Colleges. I know that one very distinguished visitor has not hesitated to interpose his veto to prevent a College making an alteration in its statute, not upon the ground that the alteration in the statute would be prejudicial to the College, but because he, being the visitor of the College and a Bishop, thought that alteration in the statute would be prejudicial to the Church of which he was a member; injuring the College of which he was a visitor, to benefit, as he thought, the Church of which he was a Bishop, and giving an example of a confusion of functions which I cannot help thinking ought not much longer to be allowed to exist.

I will now say one word with regard to the common argument which those who oppose this Bill have brought forward, and I wish to do so because last year I spoke warmly on this subject—perhaps too warmly—and made use of expressions which were misunderstood—I hope and believe unjustly misunderstood—to reflect upon the right hon. Gentleman opposite (Mr. Hardy), who I am sure knows that to reflect on him is the last thing I would do intentionally. I confess I have felt sometimes provoked and mortified to hear men for whom I have a great respect speaking in what seems to me so weak and hopeless a tone of the strength and prospects of the Church of England and of Christianity itself. To hear those Gentlemen talk, it would seem as if the Church of England relied entirely upon the protection of certain Acts of Parliament, and it would be destroyed if certain Acts of Parliament were repealed; and that with regard to Christianity there was a hopeless future in store for it, if ever it was brought face to face in fair conflict with infidelity. For my part, I utterly deny both those statements. With regard to Christianity, I must say that history and experience show us that the battle of belief and unbelief is going on, and always has been going on; and that, looking back at bygone times, there is no reason for Christianity to be afraid of the ultimate result of that great struggle. And with regard to the Church of England, I say that with the great advantages and the immense associations with which she starts it is her own fault if she is not perfectly safe. She is perfectly safe if she does her duty; and if she does not do her duty she has no right to come to Parliament for protection against the natural results of her own neglect. I say, therefore, this measure as now proposed to the House, is a perfectly harmless measure; I believe it to be an inevitable measure, and I believe it to be a measure inevitable in a very short time.

I believe, further, that many hon. Gentlemen opposite know in their hearts that this is true, as well as I who say it; and I do earnestly wish that they would take counsel in time and accept the inevitable; that they would accept it in a case where, unless they give everything, they give nothing; that they would accept it frankly; that they would prepare for it and work for it in good heart and good faith, and not fly the flag of "No surrender," a flag quite certain to be torn down; and not raise the cry of *Non possumus*, a cry which history shows no good ever came from, and out of which no good ever will.

Motion made, and Question proposed "That the Bill be now read a second, time."—(*The Solicitor General.*)

MR. MOWBRAY: Sir, My hon. and learned Friend, at the commencement of his remarks, told us that we had heard enough of this measure in election speeches, but I think I have some reason to complain that he followed out that remark by himself making an election speech. He was not content to refer merely to the election of 1868, but he must travel back to the proceedings of the University of Oxford in 1865, and reflect upon those who then took part in the election of that year. No one, Sir, is more painfully conscious than I am of my inability to fill the place of the many distinguished men who have been my predecessors in the representation of the University of Oxford. No one laments more than I do that I have to stand here and, to the best of my feeble powers, defend that cause which my hon. and learned Friend has just said was so well maintained by my distinguished predecessor, Sir William Heathcote; and I can only say, "would ndeed that he were once more amongst us." My hon. and learned Friend has just stated that I am here to do the bidding of the Convocation of Oxford. I should like to know what right I have to sit in this House if I am not here as the representative of the Convocation of the University of Oxford; and this I must ay that, if at any time I altered my views, or departed from the opinions which recommended me to the consideraion of the Convocation, I should feel myself to be unworthy to stand up in my place in Parliament in their name. My hon. and learned Friend has thought fit, whilst he pays me personal compliments, for which I thank him, and which I must say were far beyond my deserts, to insinuate that my own opinions differed from those which I am about to advocate. All that I cn say oan that point is that if, on previous occasions, I have maintained a cautious silence in this House, it is because I have found the principles at stake well recommended and amply defended by other Members better able to take part in the debate than myself; and I beg to tell my hon. and learned Friend that I never shrank from recording my vote on every occasion in every division that has taken place. It is quite true that I have not yet made four speeches on the subject, like my hon. and learned Friend, and I must ask the indulgence of the House for a little longer time than my hon. and learned Friend has occupied. And first let me say that there is one point in which the Universities have a right to complain of my hon. and learned Friend's proceedings with regard to this Bill. On every previous occasion it has been the habit to give longer notice before bringing in this Bill, and to have the Bill printed in such time as to enable the University to express its opinion upon it. Now, although it is more than a fortnight since my hon. Friend obtained leave to introduce his Bill, it was only last Thursday that it was printed, and it could only be sent down to the Universities on Friday. Steps were taken at the earliest moment to take the opinion of Convocation upon it; but the forms of Convocation have prevented that being done in time, otherwise I think I should have been able to present to the House a petition from Convocation against the Bill.

THE SOLICITOR GENERAL: I had previously stated that the Bill was similar to that of last year.

MR. MOWBRAY: No doubt the hon. and learned Gentleman did make that statement, but until we see a Bill we do not know precisely what is in it. People do not keep old Bills. The Bills of last year were not to be obtained, and Convocation could not proceed to petition against measures which were not before it. But as regards my objections to the Bill they are objections of principle. My hon. and learned Friend asks me to accept the inevitable. I do not know what Parliament is about to do, but it is our duty if we firmly believe great principles, and believe that the interests of the Church and of the country are concerned in the maintenance of those principles, to uphold them manfully, regardless of the consequences. When he tells us to accept the inevitable, my hon. and learned Friend means, I presume, all the provisions which he chooses to put into this great Bill which is now before the House. If there had been any hope of a compromise, if any concession which we could have held out would have been at all likely to have been accepted by the hon. and learned Gentleman, or those who sit behind him, I, for one, should most gladly not have moved the rejection of this Bill, but have endeavoured to bring about a compromise. But Sir William Heathcote offered, over and over again, compromises which have always been rejected. We have read in the public Press and elsewhere various suggestions for compromises, and last autumn a great divine suggested one on the basis of the Nicene Creed. All had the same object, that of maintaining the Universities as places of Christian education; but everything that has been proposed in the nature of a compromise has been rejected, and therefore it only remains for us to say "No" to the Bill of my hon. and learned Friend. The Bill divides itself into two parts—that which concerns the Universities and that which concerns the Colleges. With regard to the Universities, its legislation is compulsory; with regard to the Colleges, it proposes merely to facilitate action on their part, by removing certain clauses in certain Acts of Parliament. I take the question as regards the Universities first. It has been the fashion to consider this matter as proved by two assertions. I have heard it said by hon. Gentlemen who sit on those Benches, that the Universities are lay corporations. Nobody denies it. Then we are told that they are national institutions. Undoubtedly they are, but in the term "national institutions" the whole fallacy of that argument lies. In what sense do you accept the meaning of the term? The Church of England is a national institution, and I hope will long continue so. But do you mean that the Universities were founded by the State, or are supported by the money of the State? They are neither supported by the State, nor were they founded by it. What is the history of the Universities? It goes back to remote antiquity, centuries and centuries ago, long before this House existed. The Universities were then voluntary associations attracting crowds of students. The wealth they had was wealth of their own; they had created that wealth, and did not receive it from the State. They were national institutions impressed with distinct trusts. There has been no period in the history of England when the education given at their Universities has not been distinctly a religious education, and I mean by that an education connected with a distinct and definite form of religious teaching. It is true that changes took place at the Reformation. It is true that the Universities have followed the changes and fortunes of the Church, and have been connected with the national Church for the time being; but that does not alter my position that, at all times and under all circumstances, they have been places for definite religious teaching—a religious teaching which corresponded with the public profession of faith, as professed by a majority of the nation, and established in connection with the State. This you find recognized by Parliament on every occasion. The Bill which my hon. and learned Friend has introduced is the first in which no mention is made of religion in connection with these Universities. The first statute which was passed with respect to the Universities, in the reign of Queen Elizabeth—13 *Elizabeth*, 1570—contemplates the objects of the incorporation to be "the maintenance of the good and godly training and the virtuous education of youth," and in most important acts of legislation—the Oxford University Reform Act of 1854, and the Cambridge Act of 1856—you find the same principle recognized, as in the words "whereas it is expedient for the advancement of religion and learning to increase the powers of the University," &c. Then is this not a fundamental change which my hon. and learned Friend seeks to make in these Universities? Not merely has legislation recognized the religious character of these great seats of education, but, practically and historically, that character has been fully maintained, and the very motto of Oxford, "*Dominus illuminatio mea*," which it has borne for centuries, is a sufficient indication of the same. My hon. and learned Friend seeks to nullify that motto, however, by setting up in the Universities the light of secularism. Is this great change necessary? At Cambridge already every person is admitted to the degree of Master of Arts, without taking any test. A test is only imposed when he becomes a governing member of the Senate. At Oxford undoubtedly the restriction is greater, as you can only proceed to the degree of Bachelor of Arts without a test being imposed upon you. Over and over again, however, we have offered, on behalf of Oxford, what was called the Cambridge compromise, and even now we shall be quite ready to adopt the same provisions with regard to that University that exist with regard to Cambridge, and to add to them, if it was desired, that which will recommend itself to my hon. and and learned Friend opposite, a vote for the burgesses to represent the University in this House. The case, then, would stand thus—A young man going up to the University would have open to him every honour, every prize, every social advantage, all that culture and learning we were told last year the Dissenters prized so highly, and he would have all this without distinction of creed, or race, or colour. But the Bill now before us involves a fundamental change in our legislation, and I hope the right hon. Gentleman the First Lord of the Treasury will kindly give me his attention at the present moment, because this is a change which I venture to think, —unless he has very materially altered the opinions he expressed in former years—he can hardly be expected to sanction at the present moment. Not in a book written in 1839, but in a speech made in this House so recently as 1854, the right hon. Gentleman, at that time the Member of a Liberal Government, and sitting beside Lord John Russell, expressed himself in these terms—

> "I hold the relative position of the Church and the University of Oxford to be this—that while the Church is in the position of a national Establishment, so long as the people of this country insist upon a connection being maintained between religion and education, so long the Church is entitled to expect that the interests of the University, that the discipline of the University, that the government of the University, shall be moulded in conformity with the principles of religion, and with the principles of religion in that specific form in which they are held and taught by the Church of England."

What does that argument amount to but this—that so long as there is an Established Church in England, so long should the connection be kept up between the Universities and the Church? When we objected to the disestablishment of the Irish Church, we were told that a distinction was to be drawn between the two Churches; but my hon. and learned Friend, while prepared to maintain the Church of England, proposes to do that which the First Lord of the Treasury himself admitted was inconsistent with the connection between the Universities and the Established Church. We are not only to depart from our legislation with regard to the higher class of teaching at the University, but to legislate in direct contravention of the principle laid down by Parliament in 1860 with regard to endowed schools. That Act, while providing for the education of children differing in religion from the governing body, held that the religion of the governing body should be maintained. I come now to the question of the Colleges, with respect to which my hon. and learned Friend seems to feel that his position is a more difficult one, and he proceeds in a tentative, and seductive, and attractive way, clothed with all the charms of eloquence, and says—"There is nothing at all tyrannical in my proceedings; I merely wish to relieve the Colleges of certain difficulties imposed by the Act of Charles II., and by more recent Acts of the Georges upon them, and to leave them free, without regard to anything but merit and ability, to choose the best men as their Fellows." Well, but what are these Colleges? You cannot say that they are national institutions. They are private foundations. They were founded by private benefactors, who had impressed their trusts upon those institutions. Do you suppose that the great and wealthy ecclesiastics, who for the most part founded those Colleges—that Chicheley and William of Wykeham, and Waynflete, did not intend that religion of a very definite form should be taught in those Colleges? What is the meaning of those College chapels, to which all the students of the Colleges are invited to attend, and which are the central ornament and the great feature of every College in the University? What is the meaning of all those trust deeds, by which they tied up the government of these Colleges? And have these Colleges forfeited their trust? By no means. So recently as 1854 and

1856 the right hon. Gentleman the First Lord of the Treasury recognized the duty of maintaining the original intentions of the founders and benefactors. [Mr. GLADSTONE: The "main" design of the founders.] What could be more a main design than that these Colleges should be places for religious education? What is the meaning of such names as Trinity, St John's, Christ Church, St. Mary the Virgin and St. Mary Magdalene? What does that mean unless that the founders intended that the students should be taught religious principles? My hon. and learned Friend talked of the "inevitable," and comes to us with this seductive, permissive, tentative Bill, to enable the Colleges to repeal the Acts of Charles II., George III. and George IV., and to select their best men. But what if they do not adopt it? The hon. and learned Gentleman has already, in his short speech of to-day, sketched out a programme of future legislation to remove the direct representatives of the founders—the visiting Bishops—from the position they occupy. That is clear as daylight. My hon. and learned Friend wants to carry one point to-day—to remove these restrictions from the Colleges—and then he would go a step further. Those Bishops are already viewed as obstructives. If you get this Bill you will exclaim, "What a gross thing it is;" you will say, "Here is a young man who has attained the highest honours—a Senior Wrangler at Cambridge or a double first at Oxford—and because he is a Jew or Roman Catholic he cannot enjoy all the benefactions of the founder." You will say, "What a hardship this is." [*Cheers.*] I expected that cheer, and I would ask whether it was not also a hardship that this young man should not enjoy the estates of hon. Gentlemen opposite. [*Laughter*] Why not? If an Act of Parliament could take the one, why not the other? I can fancy my hon. and learned Friend—if not removed to a more distinguished place—saying three years hence, "We gave you once the opportunity—Parliament gave you the hint; we put the screw on the University, and compelled them to admit into the governing body those who were not members of the Church of England. At the same time we gave you, the Fellows of Colleges, power to throw your foundations open; you would not take advantage of the hint, and we now come forward with compulsory measures." I am sure that that will be the sequel of the legislation of the hon. and learned Gentleman; and if you do proceed to compulsory legislation, will you respect private foundations of recent date? It is true that many of the large foundations of Oxford will not come within the limit which the right hon. Gentleman the First Lord of the Treasury laid down. They were anterior to 1660. If my hon. and learned Friend does bring in such a Bill, I hope he will allow me to put in a word on behalf of Worcester College, which was founded so recently as 1714. I should like to know, also, what he would do with the College chapels. Suppose all the Fellows were Unitarians—the College chapel having no marketable value—would he leave it to the Church of England, or to the single unfortunate head, to keep it for his own purposes? At any rate, there is one College which I hope will appeal to the tender sympathies of my hon. Friend, and on which he will not lay a finger—that College whose walls are only now rising, whose mortar is still moist, and whose roofs are yet uncovered, that College which is founded in memory of the great Christian poet, whose life we have all been reading with so much interest. Need I remind my hon. and learned Friend of the opinion expressed by that distinguished man—I do not refer to the mysterious whisperings of his sentiments about the Church Establishment of Ireland, but the clear, unmistakable opinions which Mr. Keble uttered three years ago with reference to the position of the University and the Colleges. There is another point which has been kept out of sight by those who advocate the measure. We are told that Nonconformists are anxious to resort to these Colleges for the learning they get there; but are we sure when we have made these fundamental changes, so that the Colleges shall cease to be places of religious teaching, the religious parents of England will send their sons to the University as before? The social attractions of the Universities may thus be destroyed in endeavouring to liberalize those institutions. Do I say so without reason? I believe every religious body which professes a definite belief—not a colourless creed which seems so fashionable—desires that their youth shall be taught the distinctive tenets of their own denomination. In 1854 the late Mr. Lucas, a distinguished Roman Catholic Member of this House, in speaking on the question of admission of Dissenters to Oxford, said that he would advise Roman Catholic parents not to send their sons to Oxford if the change then proposed should be carried. And what do we find in 1867? We find Roman Catholics in this and the other House, voting in 1867 against the measure of that time on the ground that there must be religious teaching. It was distinctly on that ground that two Roman Catholic Peers both spoke and voted against the measure of my hon. and learned Friend. I am sorry to have troubled the House so long, but I must protest as strongly as I can against the proposed legislation. It is most injurious to the Universities and destructive of the whole principles on which the Universities were founded and have hitherto acted—it is most unjust to the Colleges, and to the Church of England. These two Universities, if I may be allowed to quote the eloquent language of the First Lord of the Treasury, have been "tried and not found wanting in the vicissitudes of a thousand years." They have during that time conferred inestimable benefits both upon the Church of England and upon the Legislature. To the Church they have given a succession of great and learned divines, who defended the doctrines of Christianity in their pulpits and by their writings, and exemplified its precepts by their blameless and holy lives. To the State they have given statesmen who have served the Crown with honour, and adorned both Houses of Parliament. And the right hon. Gentleman would be very ungrateful did he not admit this; for, excepting only two distinguished Members, the President of the Board of Trade and the Vice-President of the Committee of Council on Education, the Universities have furnished all the occupants of the Bench opposite. They have perfected and carried out the best system of education that ever prevailed in any country. For all this they have deserved well of the country. It is most unjust, then, to break in on a system which has prevailed for centuries, from which such great results have followed. However feeble my voice, and however ineffectual my protest—however "inevitable" the future to which my hon. and learned Friend referred—and however I may be taunted with speaking the sentiments of Convocation, I, speaking the real mind and sentiments of those who sent me here to represent them, and the convictions of my own heart, will always raise my voice against so revolutionary a measure. I beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Mowbray.*)

Question proposed, "That the word 'now' stand part of the Question."

SIR ROUNDELL PALMER moved, that the Debate be adjourned.

MR. BERESFORD HOPE: To what day?

THE SOLICITOR GENERAL: Till to-morrow, after the Army Estimates.

MR. MOWBRAY: At what hour will it be resumed? It ought to be taken at an hour when it can be fully debated.

THE SOLICITOR GENERAL: I agree in that, and shall take it not later than half-past ten.

Debate *adjourned* till *To-morrow.*

INCLOSURE AWARDS (COUNTY PALATINE OF DURHAM) BILL.

On Motion of Mr. BENTINCK, Bill to provide for depositing in one place the Inclosure Awards preserved at Durham, and for abolishing the office of Cursitor of the Court of Chancery in the Palatine of Durham, *ordered* to be brought in by Mr. BENTINCK, Sir ROUNDELL PALMER, and Mr. WILLIAM LOWTHER.

Bill *presented,* and read the first time. [Bill 44.]

House adjourned at ten minutes before Six o'clock.

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HOUSE OF LORDS,

Thursday, 11th March, 1869.

MINUTES.]—PUBLIC BILL—*Second Reading*—Governor General of India (16).

PRIVATE BILLS.

On Motion of the CHAIRMAN of COMMITTEES it was ordered—

"That the time limited by the order of the 25th of February last for the reception of petitions for Private Bills be extended to the first sitting day after the recess at Easter."

GOVERNOR GENERAL OF INDIA BILL.

(*The Duke of Argyll.*)

(NO. 16.) SECOND READING.

Order of the Day for the Second Reading, read.

THE DUKE OF ARGYLL: I rise, my Lords, for the purpose of moving the second reading of a Bill which I trust may raise some discussion, but which I believe and feel assured will raise nothing in the shape of political controversy in this House; yet it is a matter of high interest and importance, for it affects the machinery for legislation for many millions of the subjects of the Queen in India. It will, I think, be a satisfaction to those Members of the House who have as great a suspicion as myself of theoretical legislation on constitutional questions and on the amendments on the machinery of government to know that, although this Bill was prepared by the late and has been adopted by the present Government, it is in reality a measure mainly suggested and, to a great extent, framed by the Government of India, and has not been by them devised for the purpose of giving effect to theoretical opinions, but simply for the purpose of removing practical inconveniences which have been found to affect the working of the existing administrative system. I need not detain your Lordships for a moment in describing the object of the first two clauses. They are intended merely to remedy a blunder—a very strange blunder—committed in two former Acts of Parliament. Your Lordships are aware that the native States of India are so mixed with our own territory, and have in themselves so many degrees of dependence upon us, that it is absolutely necessary we should have full power and control over our own subjects who are resident therein. Now in 1849 the local Legislature of India passed an Act, giving the courts and Government of India authority over those of our own subjects who should commit crimes or offences within the territories of native States. Unfortunately, however, an Act passed by the Imperial Parliament in 1861, and intended, I believe, to give effect to the local enactment, committed the mistake of limiting that power to the servants of the Government of India; for by giving the Indian Government and courts of law jurisdiction over persons holding office under that Government, if they committed crimes in native States, it by implication recognized no such jurisdiction over persons who were not its officers but were merely its subjects. In 1865, when this doubt was brought before the attention of Parliament, my noble Friend, who is not now present (Lord Halifax), introduced a Bill intended to remedy the mistake. But unfortunately a new mistake was committed;—for though, in its Preamble, distinct notice was taken of the distinction between European subjects of the Crown and native subjects, it unfortunately happened that in the enacting clauses that distinction was overlooked, and the words used were "all British subjects." Now, the term "British subjects" had in India a restricted meaning, having received a legal and fixed interpretation confining it to European subjects of the Crown. Thus, an Act designed to remedy one blunder committed another, leaving the Government of India precisely in the same position as before, with a serious doubt cast upon its authority over its native subjects if they committed crimes within the jurisdiction of native States. Now the 1st clause of this Bill will correct these blunders—it affirms the power of the Government of India to legislate for and have jurisdiction over all persons being native Indian subjects of Her Majesty committing crimes or offences within the dominions of native Princes. The 2nd clause is a consequential one, declaring valid all previous Acts of the Government with reference to this jurisdiction. The 3rd and 4th clauses involve questions of great interest and importance. The history of the legislative power in India is a very curious one. Down to the year 1833 the Executive Council of the Governor General had full power to make laws and regulations for its own territories—in fact the same body acted as Executive Council and as Legislative Council. From 1833 to 1853 the Governor General and his Council practically enjoyed the same power; for, though the Act of 1833 constituted what is called the Legislative Council, that Council simply consisted of the Members of the Executive Council *plus* a lawyer, who was called the fourth or Legislative Member of the Council, whose right to be present in the Council was limited to those occasions when legislative work was transacted. Virtually, therefore, the Governor General and his Executive Council were supreme, and could pass for all parts of India any regulations having the force of law which they might think expedient. Since 1853, a different state of things has prevailed. In the first place, the Act of that year established a Legislative Council, which was an entirely new body, consisting, to a great extent, of extraneous Members. Then the Act of 1861 made an important amendment in the constitution of that body, all legislative power, however, being still withdrawn from the Governor General and his Executive Council, and being lodged in the Supreme Legislative Assembly. Now, the consequence was that the Governor General could not, by the action of his Executive Council, make regulations having the force of law even for those provinces which had hitherto been called the non-regulation provinces; but was obliged, in order to make such regulations for any part of India, however rude, uncivilized, or outlying, to put in motion the whole machinery of the Legislative Council at Calcutta. Thus, as regards the Presidencies of Bengal, Madras, and Bombay, the Legislative Council at Calcutta, though not indeed the sole, is the Supreme Legislative Council, and as regards all the rest of India, including the non-regulation provinces, is not only the supreme, but the sole Legislative Council. Now, there have been many complaints of late years of what is called "over-legislation" in India—of the passing of Acts or regulations being, in fact, Acts relating to comparatively small matters, frequently affecting only portions of the territory, and rendering the statute book of India exceedingly complicated. The Government of India has lately sent home an interesting Minute on this subject, explaining how this complication has become necessary; and the main argument used by Mr. Maine in defence of himself and of the Legislative Council at Calcutta is that, in consequence of the statutes to which I have referred, that Council is the only body empowered to make laws for any matter, however trivial, affecting the outlying territories. Now, I need hardly say that for the more outlying parts, and for many tribes within our jurisdiction; it is very desirable that the Government of India should have large discretionary regulating powers, and the sole object of the 3rd and 4th clauses of this Bill is to restore to the Governor General in his Executive Council the power of making regulations which I think should, in language as well as in fact, be kept separate from laws, properly so-called, enacted by the Supreme Legislative Council. Clause 3 provides that for all parts of India under the immediate administration of the Governor General in Council—the old non-regulation provinces—it shall be in his power, in his Executive Council, without putting in motion the Legislative Council, to make regulations having, in the meantime, the force of law. With regard to those portions of Indian territory erected into Lieutenant Governorships, it is proposed that the same power shall be enjoyed—subject to this restriction—that in any regulations relating, for example, to such an important province as the Punjaub the initiative shall be with the Lieutenant Governor of the province. He will send draft regulations to the Governor General at Calcutta, and, if approved by the latter, they will be put in force under the name of "Regulations," having for a limited time the force of law with regard to that particular territory. The second part of the 4th clause extends the same provision to the Governors of Madras and Bombay in their Councils, but only as regards those portions of territory which may from time to time be declared to be in the nature of non-regulation provinces. I may mention as an example the great province of Scinde. That is a case in which the Governor of Bombay would have power, if that province were designated for the purpose, of making regulations by his Executive Council alone. The latter part of the clause provides that this power may be temporarily withdrawn by the Government at home. The 5th clause provides that such regulations shall be sent home for the approval of the Secretary of State. The 6th enacts that whenever the Governor General in Council shall hold a Council for the purpose of making laws and regulations affecting the territory of a Lieutenant Governor or Chief Commissioner, such Lieutenant Governor or Chief Commissioner shall be an *ex officio* additional Member of the Council for that purpose and for that time. The 7th and 8th clauses are designed to render more convenient and more in harmony with existing usage the practice of the Legislative Council in the event of dissent between the Governor and his Council, or between different Members of that Council. The 3 & 4 *Will.* IV., which this clause repeals, requires that, in all such cases, Minutes must be drawn up recording the different opinions; but, in point of fact, this is felt to be a great inconvenience, and is not resorted to, nor is it always expedient that such dissent should be recorded with a view to the information of the public. There is often a desire to act together, as a Cabinet does here, the minority yielding to the majority. It is, accordingly, proposed, in harmony with the existing usage, that dissents shall not be recorded unless any two Members of the Council desire it.

I now come to a clause—the 9th—which is one of very great importance, involving some modification in our practice and in the principles of our legislation as regards the Civil Service in India. Its object is to set free the hands of the Governor General, under such restrictions and regulations as may be agreed to by the Government at home, to select for the Covenanted Service of India natives of that country, although they may not have gone through the competitive examination in this country. It may be asked how far this provision is consistent with the measures adopted by Parliament for securing efficiency in that service; but there is a previous, and, in my opinion, a much more important question which I trust will be considered—how far this provision is essential to enable us to perform our duties and fulfil our pledges and professions towards the people of India? There has, I think, been much exaggeration with respect to the nature of our Indian Empire. It is often declared to be the most wonderful Empire that ever existed in the world. Now, as far as magnitude is concerned, that is by no means the case. Many of the great monarchies of the ancient world were much larger, and so also were many of the military monarchies of the Middle Ages. At the present time, moreover, the territory and people ruled by Russia constitute a much more enormous Empire than that which we possess in India. The peculiarity of the latter is that it is not a part of our territory in the sense of forming any part of our political system, nor is it a colony, nor is it a dominion from which we derive, or have ever professed to derive, any tribute or pecuniary advantage. Beyond the dividend given to those who have held shares in the Indian debt, India does not now contribute, and has not, since the very earliest days of the Company, contributed a single farthing to the Imperial necessities of the State. The great peculiarity then of our Indian Empire is the relation in which we stand to the people. We hold it under the instinct of dominion. I believe that instinct has been a powerful instrument in the civilization of the world; and I believe, further, that never at any period of the history of the world has it been placed on a firmer basis or exercised from purer motives than those which have induced us to maintain our Empire in India. With regard, however, to the employment of natives in the government of their country in the Covenanted Service formerly of the Company and now of the Crown, I must say that we have not fulfilled our duty or the promises and engagements which we have made. In the Act of 1833 this declaration was solemnly put forth by the Parliament of England—

> "And be it enacted, That no Native of the said Territories, nor any natural-born Subject of His Majesty resident therein, shall, by reason only of his Religion, Place of Birth, Descent, Colour, or any of them, be disabled from holding any Place, Office, or Employment under the said Company."

Now, I well remember that in the debates in this House in 1853, when the renewal of the Charter was under the consideration of Lord Aberdeen's Government, my late noble Friend Lord Monteagle complained, and I think with great force, that while professing to open every office of profit and employment under the Company or the Crown to the natives of India, we practically excluded them by laying down regulations as to fitness which we knew natives could never fulfil. If the only door of admission to the Civil Service of India is a competitive examination carried on in London, what chance or what possibility is there of natives of India acquiring that fair share in the administration of their own country which their education and abilities would enable them to fulfil, and therefore entitle them to possess? I have always felt that the regulations laid down for the competitive examination rendered nugatory the declaration of the Act of 1833; and so strongly has this been felt of late years by the Government of India that various suggestions have been made to remedy the evil. One of the very last—which, however, has not yet been finally sanctioned at home, and respecting which I must say there are serious doubts—has been suggested by Sir John Lawrence, who is now about to approach our shores, and who is certainly one of the most distinguished men who have ever wielded the destinies of our Indian Empire. The palliative which he proposes is that nine scholarships—nine scholarships for a Government of upwards of 180,000,000 of people!—should be annually at the disposal for certain natives, selected partly by competition and partly with reference to their social rank and position, and that these nine scholars should be sent home with a salary of £200 a year each to compete with the whole force of the British population seeking admission through the competitive examinations. Now, in the first place, I would point out the utter inadequacy of the scheme to the ends of the case. To speak of nine scholarships distributed over the whole of India as any fulfilment of our pledges or obligations to the natives would be a farce. I will not go into the details of the scheme, as they are still under consideration; but I think it is by no means expedient to lay down as a principle that it is wholly useless to require natives seeking employment in our Civil Service to see something of English society and manners. It is true that in the new schools and Colleges they pass most distinguished examinations, and, as far as books can teach them, are familiar with the history and constitution of this country; but there are some offices with regard to which it would be a most important, if not an essential, qualification that the young men appointed to them should have seen something of the actual working of the English constitution, and should have been impressed by its working, as anyone must be who resides for any time in this great political society. Under any new regulations which may be made under this clause it will, therefore, be expedient to provide that natives appointed to certain places shall have some personal knowledge of the working of English institutions. I would, however, by no means make this a general condition, for there are many places in the Covenanted Service of India for which natives are perfectly competent without the necessity of visiting this country; and I believe that by competitive examinations conducted at Calcutta, or even by pure selection, it will be quite possible for the Indian Government to secure able, excellent, and efficient administrators. As to the effect of this change on the policy which led to the throwing open the Civil Service of India for public competition in this country, I would desire to call attention to the real history and origin of that system. Those of your Lordships who are acquainted with Indian affairs are aware that, in fact, the government, though long nominally in the hands of the Company, has been practically, ever since the great Parliamentary contest of 1783-4, the government of the Crown. Mr. Pitt was violently abused by the Old Whig party of that day for having opposed Mr. Fox's Bill, and for having after all adopted its principle—namely, the subjection of the government of India to the control of the Home Government. The truth is, however, that Mr Pitt objected, not to that subjection, but to the subjection also of the commerce and patronage of India to the government of the Crown, and in his own Bill he subjected the government in all its political relations to the absolute authority of the Crown. The Crown has been responsible for every act done, or not done, ever since the great statute of 1803; and I venture to say that, in name as well as in fact, the government of India would long before have been declared to be the government of the Crown but for the difficulty arising out of the commerce and patronage of the Company. The Company, as your Lordships are aware, was deprived of its commerce by the Acts of 1813 and 1833; and when the succeeding twenty years had expired, and the Government of Lord Aberdeen had to consider what was called the renewal of the Charter, it was also considered, whether it would not be expedient to assume at once, in name as well as in reality, the government of India as the government of the Crown. I well remember the discussions at that time; and I venture to say the main difficulty in our way was this,—we did not know how to get rid of the patronage of the Company after it should have been removed from the Directors. It was found that to open it to free competition was the only expedient. There was, indeed, no alternative, for Parliament—with, perhaps, almost too much jealousy, through the ancient echoes still ringing in the ears of men on that subject—would not have tolerated the exercise of that patronage directly by the Crown, and if not by the Crown, by whom could it be exercised? It was, therefor, thrown open to competition. What may be the feelings of individual Members of your Lordships' House I do not know, but I confess I have never been such a fanatic in support of competitive examination as to believe that that is the sole or, in all cases, the best method of getting the best men for the public service. But it is an escape from many difficulties; and when you have only a choice of difficulties, competitive examination gives on the whole a much better chance of success than the pure nepotism of the ancient Court of Directors; but the exercise of patronage, where it is wholly removed from the danger of political jobbery or family nepotism, is, perhaps, the very best mode of selecting men for the public service. Now I venture to submit that, as regards the selection of natives for the administration of their country, there is no risk whatever of the Government of India being influenced by political jobbery or family nepotism; and I think, therefore, it is safe and expedient to open the Civil Service of our Indian Empire to selections by the Govrnor General, under such restrictions as may be laid down in concert with the Government at home. On these grounds, I trust this important change will receive the sanction of Parliament.

Let me now notice one not unimportant fact with regard to this Bill. I have described it as the same Bill as that introduced last Session by my predecessor, and supported by the late Government; but there is an important exception with respect to a particular portion of the Empire of India. The Bill, as introduced by Sir Stafford Northcote, contained a clause enabling the Home Government to erect Bengal, from being a Lieutenant Governorship, into what is called a full Government—that is, having a Governor and Council. I have omitted that clause for reasons which seem to me good and sufficient—for I could scarcely ask Parliament for a power which, in my opinion, ought not to be exercised. The question arose in this way— Your Lordships will remember the painful circumstances attending the Orissa famine; many thousands of people perished, and the natural conclusion drawn from such a calamity was, that such a thing could not have happened unless there had been something wrong in the machinery of government. That is a conclusion at which men are very apt to jump, but which frequently is quite unfounded. Many thousands of persons perished in the Irish famine, many of them before we knew that famine was prevailing; but no one attributed this to any fault in the machinery of the British Government, and no remedy, therefore, of that nature was proposed. Now, inquiry was instituted into the cause of the Orissa famine, and the result was that many suggestions were made for improving the Government of Bengal. A certain number of persons recommended that the Lieutenant Governorship should be erected into a full Government, and that suggestion was submitted by my predecessor to his own Council at home and to the Government in India, the result being a very interesting volume, which was presented to Parliament last Session, and which presents a very chaos of opinion on that subject. Hardly any two men agree as to the precise modification of the Government, and the proposition to erect Bengal into a full Government is on the one hand strongly opposed by Sir John Lawrence, Sir William Mansfield, Sir Henry Durand, Mr. Strachey, Sir Richard Temple, and Sir William Muir; while, on the other hand, it is supported by some very eminent men, including Mr. Taylor, Mr. Maine, and Mr. Grey, now himself Lieutenant Governor of Bengal. As regards the Council at home, with the exception of three, all of the members are adverse to the proposal. Under such circumstances, it was not, I hope, presumptuous in me to desire to form an opinion of my own from the arguments of those very distinguished men; and I am bound to say that, under existing conditions—I limit myself to that—it seems to me inexpedient to erect Bengal into a full Government. What is the complaint against the existing Government? It is that it is weak. That is an ambiguous word—is it weak in point of physical strength, so that it cannot overtake its work, or is it weak in regard to its authority? Now the evidence is very strong that it is weak as regards mere physical strength, and this kind of weakness we have it in our power to remedy without coming to Parliament for any new power. Measures are now under consideration for that purpose; but the assembling of the heads of departments into a Council to debate the matters which would come before it would not strengthen the physical power of the Government. If it be asked whether it is weak in point of authority, a decided negative must, I think, be given. We must recollect that the very theory of a Lieutenant Governorship is that it represents the authority of the Governor General. The Governor General of India is the Governor of Bombay, the Lieutenant Governor being his deputy; and therefore, as far as authority is concerned, when the latter speaks, he speaks with the authority of the Supreme Government of India. To assemble his heads of departments in a Council would do nothing to strengthen his authority. The real object of the proposal is not to increase the physical strength or authority of the Government, but to give it greater strength to resist the Governor General in his own capital and province. That is not, indeed, the way in which it is put by its supporters, but it is the real gist of their argument; for they say they are over-shadowed by the Governor General, and that when complaints arise they are carried to him, and not to the Lieutenant Governor. But that is a necessary result of the Supreme Government being located in Bengal; and until Parliament come to the conclusion that it should be removed from its ancient capital, and relegated to some other part of India, you cannot by any trick or device prevent people from going at once to the higher authority rather than to the lower — to the Governor General rather than to the Lieutenant Governor. What would be the effect of the change? Merely to increase the friction and tendency to jealousy which may already exist, and so run serious risk of a misunderstanding between the Supreme Government and the Lieutenant Governor of Bengal. I confess I attach great weight to the opinion of those who have been in the position of Lieutenant Governor of Bengal, and have felt the inconveniences which attached to it. We have recently introduced into the Home Council Sir Frederick Halliday, who was Lieutenant Governor during the disastrous period of the mutiny of 1857. He is a man of very great experience and ability, and his decided opinion is that no assistance whatever would be given to the Lieutenant Governor by simply erecting the administrative heads of departments into an Executive Council, allowing them to debate the measures which might come before them. On the other hand, serious inconveniences might arise from two Governments, *quasi* supreme in their own territories, sitting in the same city, like the two kings of Brentford. Another suggestion has been made which approves itself much more to my judgment; and, if I had trusted entirely to my own judgment, I should have introduced it into the present Bill; but, considering the difference of opinion which prevails on the subject, I desire to wait another year before advising Parliament as to the course it should adopt. But I may mention what I consider might be an expedient course. As matters now stand, the Lieutenant Governor of Bengal has a Legislative Council of his own, and he is also a member of the Supreme Legislative Council of India; but he is not a member of the Supreme Executive Council of India. Business, consequently, which goes to the Supreme Government of India in reference to questions affecting Bengal cannot be made a matter of *vivâ voce* explanation between the Lieutenant Governor and the Supreme Government. A whole set of despatches must go from one to the other, though both sit in the same city, and are very much concerned in the same matters. No arrangement can be more inconvenient, and the remedy which Sir Frederick Halliday suggests is to place the Lieutenant Governor in more immediate connection with the Executive Council at Calcutta. Speaking of the tendency to pass over the Lieutenant Governor and go to the Supreme Government, he says—

> "This would happen under any constitution of the superior Government, whenever it might be put down permanently over against the subordinate Government, as now in Bengal. Nothing of this would be obviated by any change in the constitution of the Bengal Government. Indeed, a Governor appointed and chosen in England might be more exposed to it than a Governor chosen for his familiarity with the details of Indian administration; and if he had a Council, that would not help him, seeing that Councils do not hinder much occasional soreness, even in the distant Governments of Madras and Bombay. A Council in Bengal pitted against the Council of India, present in the same place, might indeed heighten the turmoil."

Then, at the close of his Minute he suggests that the Lieutenant Governor should be placed in more immediate connection with the Executive Council, as far, at least, as concerns matters connected with the Bengal Presidency. That arrangement is, no doubt, open to the same objection as the presence of the Minister for the Home Department in meetings of the Cabinet. It may be said that if any complaint were made against the Lieutenant Governor, he would be sitting in the Executive Council as a judge in his own case. In like manner, it may be said that if complaints were made against the Home Secretary, he would be sitting in the Cabinet upon those complaints; but, in point of fact, I have never heard any practical objection to the Minister being there to defend and explain his own conduct. The present arrangement simply leads to the multiplication of that which is the great bane of Governments in India—the unnecessary writing of voluminous despatches when five minutes of conversation between the persons immediately concerned would settle the whole matter. I do not wish to depreciate the habit of recording in Minutes the arguments used on both sides, for I do not know any mode by which persons not conversant with a question are better able to judge of its merits than by reading the Minutes of two able men taking different sides; but there should be a limit to this system, and when important interests—those of the planters, for example — are concerned it is desirable that the authority of the Lieutenant Governor should express not only in name, but in reality, the authority of the Supreme Government of India; and I think you will never effect this unless you bring about a closer union between these two authorities, both sitting in Calcutta.

I have thus stated the plan which seems to me the best, but I do not ask the House to come to any decision this Session on so difficult and important a question. I have therefore struck out the only clause involving serious difference of opinion, and I venture to think that the Bill, having for its two main objects the increase of the power of the Executive Government as regards legislation for the non-regulation provinces and the abolition of the monopoly of Europeans through the door of the competitive examination for the Civil Service of India, will receive the assent of your Lordships' House and of the House of Commons.

Moved, "That the Bill be now read 2ª."—(*The Duke of Argyll.*)

Lord LYVEDEN said, he anticipated very little opposition to the first part of the Bill, for it gave greater power to the Governor General than he had hitherto been able to exercise — a course recommended by Lord Ellenborough and other high authorities. With the Governor General rested the main responsibility, and with him ought to rest the main power. He also approved the change with regard to the non-regulation provinces; and the rectification of the blunders of previous Acts could excite no difference of opinion. The novelty of the Bill was that relating to the appointment of natives to employment in the Civil Service of India without competitive examination. He had never been a strong advocate for that system in this country; but in India he thought it less calculated to draw out the qualifications for Indian Service than any other that could be devised. The questions sometimes asked by the Examiners were almost ludicrous. Moral qualities were required far more than intellectual ones, and the former no competitive examination could ascertain. His noble Friend (the Duke of Argyll), however, would, he believed, find himself mistaken if he went back to the declarations of 1833, and imagined that the natives would be satisfied with the proposal he had now made. There might not be political jobbery or nepotism, but there were other influences which might guide the Government of India in making appointments, and natives would not feel themselves in the same position as Europeans who came out after a competitive examination. On the other hand, a European, having passed an examination, and deeming that he had an inchoate right to an appointment, might find, on his arrival, that the post had been already filled by the appointment of a native. He could not understand why competitive examinations should not be carried on in India, and why the successful competitors should not be sent, if necessary, here to learn English customs and institutions. The only reason he had heard urged against a mixed competition was that the natives were extremely precocious in the early stages of their life, and by their quickness and knowledge, would beat Europeans, and that it would be unfair to the latter to subject them to such competition. As to the nine scholarships proposed by Sir John Lawrence, that would have been a very inadequate arrangement. He thought the noble Duke had been well advised in omitting from this Bill the clause relating to the Lieutenant Governorship of Bengal, which had formed part of the measure proposed by his predecessor last year. But the other Bill proposed by Sir Stafford Northcote—which was a measure of far greater importance than the present, inasmuch as it would completely alter the whole constitution of the Government of India—had failed to get through the other House. It did not, indeed, go so far as the Bill he (Lord Lyveden) prepared by desire of Lord Palmerston and as a Member of his Government; but he hoped the noble Duke would introduce it in their Lordships' House, and carry it on *pari passú* with the present Bill. The Bill altered the constitution of the Council in a most proper manner. It had been too much the practice to select as Members of the Council men who had left India many years and who had forgotten all about it; and it would be expedient to provide that no one should hereafter be appointed who had left India more than five years. In the discussion upon Sir Stafford Northcote's Bill it was suggested that the Under Secretary of State for India should sit in the Council and have a voice in it; and that would be an important alteration, because any Minister in either House of Parliament who had had an opportunity of taking part in the discussions of the Council would be all the more competent to grapple with Indian subjects in debate. He was justified in drawing attention to the omission of the Bill for altering the constitution of the Council, because the noble Duke had himself invited the discussion, and the question agitated people in India, and they were looking forward to a change, not only in the direction of economy, but also in the rapidity and efficiency of general administration. He could not help thinking it would be better if the number of the Council were limited to eight or ten, instead of fifteen, because with fewer Members there would be less discussion and equal efficiency in business. He wished there had been something in the Bill in relation to the rendering of accounts in a more perfect form. The accounts were getting more intricate and involved every year, and the Estimates sent home were getting more and more fallacious. Whether this was to be remedied by Act of Parliament, or by an instruction from the noble Duke, though such instruction had hitherto failed, was perhaps a matter for consideration. The Estimates sent home last year appeared to have been a complete delusion on the wrong side; for, instead of there being a surplus, there was a deficiency. Another matter which ought to be discussed was our relation with the tribes of Afghanistan; and, as we had acknowledged a Sovereign, it was important it should be known how far we were committed to maintaining him on the throne, lest we should, to use words rendered classical by the Secretary of State for Foreign Affairs, "drift into war." He was not an alarmist respecting the apprehended invasion of India by Russia, but the general question was a large one; and the production of the Papers recording what had passed between the Indian Government and the tribes of Afghanistan would communicate much valuable information.

THE MARQUESS OF SALISBURY: My Lords, I should be sorry not to avail myself of this opportunity of acknowledging the ability and interest of the speech made by the noble Duke, and the value of the Bill which he has laid upon the table. The only difficulty I find in criticizing that Bill and speech is, that I almost entirely agree with them. I believe the step taken by the noble Duke, in extending the power of the Governor General in matters of legislation, is eminently a step in the right direction, and that the experience of English statesmen will lead them to extend that power still further. I believe no greater mistake has been made of recent years, in regard to Indian matters, than that of thinking we could produce a copy of the English Constitution in India. If you wish to govern Asiatics in a manner conformable to their opinions and interests, you must govern them Asiatically; and the cumbrous system which we, in obedience to our instincts, have adopted for guarding the interests of all in the progress of legislation, is utterly unsuited to their feelings, and only tends to hinder the progress of government. In the discussions that have arisen in regard to the popularity of the English rule in India, no reproach has been addressed to us more often than that we have attempted to govern India by refined but cumbrous and tardy methods, which the natives would gladly exchange for more rapid, though, perhaps, ruder justice. Therefore, I am glad to see that the noble Duke is tending towards a more despotic ideal of management; and I trust that, when we get free from some superstitions of public opinion which have hampered us during the last generation or two, we shall extend the despotic idea a little further, and shall confine our attempts to imitate European institutions to those places where the European population is in the majority. Another most important matter is the admission of natives to employments under the Government of India. I think that the plan of the noble Duke contained in this Bill is, I believe, the most satisfactory solution of a very difficult question, and is infinitely better than the system of appointment by competition. The evil of that is two-fold—if it fails, as it hitherto has done, and the natives do not take advantage of your competitive system, then they blame you for having excited their hopes, and, as they think, acted with duplicity; if it succeed you give them vested rights in the offices which they come to hold, and that, in time of trouble, may expose you to dangers on which I should hardly venture here to enlarge, but which must spontaneously suggest themselves. Therefore it is far better that natives should be appointed on the exclusive responsibility of the Governor General; and I do hope the noble Duke will not consider it necessary to fetter the discretion of the Governor General too much in that respect, or to do anything that shall cause him to hesitate in the trial of the new system. Whatever is done must, of course, be done slowly and tentatively. There are two dangers to avoid—if you are too careless you may appoint men educated and competent, but in their hearts not loyal to your rule; and, on the other hand, while you may obtain natives loyal to your rule, the differences of race, which we can hardly appreciate here, but which exercise so strong an influence in India, may arouse jealousies between civil servants which may render it impossible for natives and Europeans to work harmoniously in the same office. One of the most serious dangers you have to guard against is the possibility of jealousy arising from the introduction of natives into the service. There is one point in the speech of the noble Duke against which I wish to enter my protest. He seemed to think that the only way in which we could fulfil our pledge was by admitting natives to the direct service of the Crown. My belief is that the true way to admit the natives of India to a just share in the Indian Government is to maintain the native Sovereignties which we protect, because in the management of these Sovereignties the natives participate according to their own ideas of government, in the way they best understand, and which is, therefore, best calculated to promote the equality and efficiency which we have in view. One of the main arguments against annexation, and in favour of the policy of maintaining those native States which still remain, is that by so doing you are able to gratify the ambition of those natives of India who feel themselves fit for political offices, and that you are thus able to repudiate the reproach that you are barring out the fields of patronage by the barriers of caste or race. I believe that such a policy would be suicidal, and by abstaining from interference with the native Princes who still remain you will be saved from the reproach. The only other point connected with the policy of this Bill was a point, if I may use the Hibernicism, relating to matters not in the Bill. There is no doubt that the question of the Governorship of Bengal is a very knotty one, and I think that the noble Duke has adopted the right course. The truth is that you cannot leave the Lieutenant Governor where he is. He is either too big or not big enough. The original idea with which it was suggested that the Governorship of Bengal should be erected was to avoid the necessity of putting an English statesman in that position, and thus to avoid the occurrence of an evil which was strongly experienced at the time of the Orissa famine. But the objection was well-founded that you could not have a Lieutenant Governor independent of the Governor General without introducing an amount of disagreement which had in former times been so fatal to Bengal. If ever the question of a Governor of Bengal is to be taken up, it must be when you have solved the difficulty about what is to be the capital of India, and when you have determined not to throw away the lives of the ablest of your servants in India by placing them in the most unhealthy station to be found in that country. When you have attained to that stage of administrative wisdom, then will be the time for attempting a settlement of this question. In the meantime, I think the course adopted by the Government is the right one. One subject still remains, which was referred to by the noble Lord the former President of the Board of Control (Lord Lyveden)—the composition of the Council in England. I earnestly wish that the noble Duke would address himself to that question. It is very disagreeable to discuss the qualifications of gentlemen in their absence, especially as those gentlemen are well known for the earnestness of their conduct in the service of the Crown. But there is no doubt that you do require a certain number of men—when India is changing from day to day—who know what India is rather than what India was, and to do this you must introduce a new system of election into the Council. Whether this is to be done by introducing retirement after a certain time, or by fixing an age beyond which a Member should be ineligible to sit in the Council, or by compelling resignation at the will of the Secretary of State,—in one way or another you must promote a more rapid circulation of Members, for there is not enough of new blood in the Council of India. I cannot, however, agree in thinking that the Council ought to be entirely composed of gentlemen who have recently been in employment under the Government of India. I believe the noble Duke will hear more about that to-morrow; but I believe the noble Duke agrees on the necessity of representing the commercial element in the Indian Council. It is perfectly impossible that the proper importance can attach to the measures adopted in relation to the commercial and mercantile interests unless those interests are represented in the Council, and able to discuss those measures. There is another point to which I will refer. I confess I should like to have seen more power given to the Governor General, and I should like to see a clause inserted in the Bill providing that, whenever the Secretary of State should be of opinion that any measure proposed before him was necessary for securing the welfare, safety, and tranquillity of India, he might on his own authority adopt and carry it into execution—only in such case that he should also notify the fact to the two Houses of Parliament. I believe that the tutelage in which the Secretary of State is held by his Council is injurious to the good government of India. It is perfectly true, in reference to such matters as railway guarantees and other commercial affairs of that kind, the veto of the Council is occasionally a protection; but with that solitary exception I believe that the principle upon which Lord Palmerston acted in 1858 was a sound one—that the responsibility should lie in the Minister of the Crown, and in the Minister of the Crown alone. And it must be remembered that this curious machinery of the Council, so strangely selected and endowed with such anomalous powers, was not adopted because it was believed to be the best plan that could be devised, but as a compromise to get rid of the opposition of the old East India Company. They have had ten years of their compromise, and the time has at length come to reconsider it. I think we may fairly ask whether the ordinary rules of our Constitution ought not to be put in practice, and whether we ought not to place in the Secretary of State alone that responsibility which is borne by every other Minister of the Crown? I hope, at all events, that the noble Duke will not allow the Session to pass away without clearing up the mystery which enables the Council, under cover of vetoing money questions, to interfere with every other measure on the plea that it involved money considerations, and which, in fact, makes them an incubus upon the Minister. It is not enough to say that they will not exercise the veto except upon extraordinary occasions. The very fact that they can exercise it imposes a check upon the action of the Secretary of State to which he ought not to be subjected, and the power of veto ought to be confined to money measures alone. I think that the time has now arrived when legislation on this subject may safely be attempted, and I feel convinced that Parliament will support the noble Duke in any endeavour which he may make. I entirely assent to the changes which the noble Duke proposes, and I think they indicate the policy in which the statesmen who succeed him will have to go further than he has gone, and that the removal of so many of the old prejudices on this question is full of happy omen for the future good government of India.

LORD HOUGHTON: I very deeply regret, my Lords, the embarrassments that seem to have attended the new Government of India ever since its construction. It would be impossible for any man who considers the question as it came before Parliament some years ago, in the different relations both as regarded the Government of England and the Government of India, and the Government of India and the natives of that country, not to feel that we were entering upon so difficult and dangerous a problem that we required to be guided by almost superhuman wisdom and superhuman knowledge. We are here in this position—that it is impossible for any man—even for my noble Friend opposite (the Marquess of Salisbury)—to speak upon this question without falling into a series of contradictions. My noble Friend evidently desires that there should be no limitation placed upon the power of the English Secretary of State for India, because he says it is advisable that he should act with the same independence that other Ministers do. From that we are to understand that the Secretary of State residing in this country—a Gentleman who probably knows no more about India than any one of us can learn by our own political study and our own political thought—should be invested with what may be called the supreme power of the Government of India. At the same time my noble Friend says he desires to see India governed in India, and not from England. Every measure which tends to separate the Government of India from the Government of England, and to enable the Government of India to be carried on by those who alone can understand the subject, will meet with my cordial assent; and, therefore, I cannot but think that Parliament has done wisely in giving the Secretary of State for India a Council composed of men who have that peculiar knowledge of the country that those alone can have who have been in direct communication with the natives of India. But the question now before your Lordships is complicated to such a degree that I do not feel competent to solve it. When the noble Duke (the Duke of Argyll) intimates that he intends to introduce into the Government of India the natives of India to an extent that has not hitherto been adopted, I would remark that, if he means to do so, he must set about it in some other way than that which would destroy whatever good has come from the present system of competition in England. I confess, at the same time, that I never could see the advantage to the public service of giving appointments in India to young men merely because they had undergone a severe intellectual test, while they might not have any moral capabilities at all. I do not believe that the present Governors of India possess any great superiority over those who filled the same positions in former times. No doubt, in former times, young men were put forward and selected for appointments in India because it was believed that they had qualifications which would fit them for the public service in that country; and, therefore, I very much doubt that your modern competitive examination gives you anything like so good a knowledge of the staple qualifications of the men you send to India as you had in old times. But the question is, can we exclude natives altogether? I believe it is not possible to do so. We might wish to govern India entirely by Englishmen; but education is spreading there, and we cannot in India act in contradiction to that policy of extending self-government on which we are acting in all our other possessions. I only hope the noble Duke feels the magnitude of the change which he calls on us to bring about. He is now about to have carried out for the first time the principle stated in that magnificent, but hitherto futile, declaration in which it was stated that the government of India would be conducted without reference to differences of race. I hope my noble Friend will be able to adapt that principle to the exigencies of the Government in India, and that he may be able to bring about a large admission of natives; but how to do this under present circumstances is to me an enigma. That something must be done is certain; but I would ask your Lordships to remember the difficulties of the case. They cannot be exaggerated. It is difficult to see how natives and Englishmen can work together in one service, differing as they do in religion, customs, and modes of thought. It is only a few years ago that this happened—so simple a post as that of surgeon to one of our regiments having been put up to competion it was assigned to a native; but my noble Friend (Lord Halifax) who was then Minister for India, felt himself unable to make the appointment. It was apprehended that the appointment of a native would provoke such a spirit of mutiny in the regiment that my noble Friend thought it would be better even to do an injustice to the individual than to run the risk of the consequences which might follow from his appointment. There is another point which I would ask the noble Duke to explain a little more fully. How will you combine this arbitrary power in the hands of the Governor General with the competitive system in this country? Are there certain appointments to be given without competition, but on the arbitrary judgment of the Governor General, and are there other appointments which will be competed for in England? Some of the difficulties in this matter the noble Duke will, doubtless, be able to explain away; but I fear there are others which, with all his power, he will be forced to leave behind.

VISCOUNT HARDINGE quite concurred in the provisions of the Bill. Any legislation which tended to strengthen the hands of the Governor General of India was, in his opinion, legislation in the right direction. As regarded the last clause, admitting natives to the Covenanted Service, the men recently appointed had been introduced on that system; but he could not but remark that in his experience the competitive system, which had been some time on its trial, had not produced such able servants for India as the old patronage system did. He therefore thought it better to have the appointments made in the way provided by this Bill than to have them made by competition to take place at Calcutta or in London. He did not know whether the noble Duke was aware how comparatively few natives there were in the Uncovenanted Service. In that service, out of 2,000 officials, only fifteen natives held appointments of a salary of £1,000 a year; and in the other appointments there were six Europeans to one native. This seemed to him a very large disproportion, and either the Government of India had no disposition to encourage the employment of natives, or there was the greatest difficulty in finding natives capable of filling appointments. When he was in India he knew natives who filled the office of deputy-magistrate. If the system of competition were introduced in India they would have clever Bengalees from the College at Calcutta who would distance all competitors. Now, it was quite notorious that a Bengalee might do very well for a deputy-magistrate, but his habits disqualified him for the higher offices of the Civil Service. If the seniority principle were adopted, natives would rise *pari passû* with Europeans, and the Governor-General knowing that a European would be the better man, for—say such an office as that of Zillah Judge—a difficulty would arise, unless the Governor General had the power of appointing an European over his head. Everyone must see that in the present state of public opinion, it would be impossible to keep natives out of the Civil Service. We must admit them, and he thought the plan of admitting them embodied in this Bill was better than that which had been proposed elsewhere—namely, to admit them by competitive examination.

THE DUKE OF SOMERSET rose to make one suggestion. This was the first time the Secretary for India had a seat in their Lordships' House. He therefore asked his noble Friend (the Duke of Argyll) whether he would, in the course of the Session, favour the House with a statement regarding the finances of India? It was said that the Indian Budgets brought forward in the other House were works of imagination rather than financial accounts. Perhaps it might seem to trench on the privileges of the other House; but as no money was voted when the Indian Budget was brought forward, there would perhaps be no difficulty if the noble Duke were to favour their Lordships' House with a general survey of the state of affairs in India.

THE DUKE OF ARGYLL said, his noble Friend (Lord Lyveden) had asked how far we had committed ourselves by our acknowledgment of the present Ruler of Affghanistan, and to what extent we had engaged ourselves to maintain him on the throne. In answer to his noble Friend he (the Duke of Argyll) had to say that the money and arms given to the Ameer of Cabul was simply a present. No conditions whatever had been made with the Ameer. The Ameer asked the Government for assistance, in consequence of his having lost much of his revenue in the war, and the money was given to him as a present. The Government in India and the Government at Home were free to take in the future whatever course might be best for our own interests and those of Cabul. He wished to direct the attention of the noble Lord to the wording of the provisions of the Act of 1833. He was not defending that clause, because he thought that the abstract declarations of principles in Acts of Parliament were extremely inconvenient and, for the most part, impolitic, as leading to expectations which never could be wholly fufilled, and which were always liable to be quoted against this country with amplifications which were never intended by Parliament. It was on this account that he was opposed to the promises being made which were contained in the Queen's Proclamation issued under Lord Derby's Government at the time that the Crown assumed the nominal government of India. He thought that Proclamation contained abstract declarations of principle which had been found exceedingly inconvenient, and which had been frequently quoted against us in regard to cases to which they were never intended to apply. Nevertheless, he was of opinion that the declaration contained in the Act of 1833 ought to be adhered to as far as possible. As the law stood, no office or place under the Company—and of course the Crown now stood in the place of the Company—could be shut to natives of India merely because they were natives. Of course, there were many offices of which it might be said that they could not be filled by natives, such as great administrative offices. He entirely assented to the general principle laid down by his noble Friend (the Marquess of Salisbury)—namely, that it was not only our duty to ourselves, but to India also, to maintain our dominion in that country, and to take no steps that endangered the dominion except such as must lead, in the long run, to the complete education of the people. In the meantime, however, we were not bound to employ natives who were not loyal to ourselves. As regards the powers of the Council, he could assure his noble Friend that the attention he had been able to pay to that subject showed him that his noble Friend laboured under an erroneous impression concerning it. The Secretary of State was absolutely supreme on financial matters. He had the whole control of the Secret Committee and, besides that, in all matters of policy, including even taxation, it was perfectly competent for him to over-rule the opinions of his Council. That he believed to be the interpretation of the law, and he was not aware of any case in which the Council had set up its authority in opposition to the will of the Secretary of State. Even in the great Mysore case, which involved the sacrifice of a large amount of revenue, no suggestion had ever been made that the Secretary of State was incompetent to deal with it upon his sole authority. With regard to the question of the noble Lord, who had just sat down, as to whether the clause he had referred to was to be a dead letter, he must express his opinion that such would not be the case, although, at the same time, they ought to proceed very carefully with regard to it. The safer plan would be to lay down some system of selection with regard to the natives. He could conceive no motives which could possibly bias to an injurious degree the authority of the Government of India in the selection of natives. It was most improper that the Government of India should be restrained by law from selecting natives to fill offices the duties of which they were thoroughly competent to discharge. With regard to what was very erroneously called "the Indian Budget," which, in fact, was no budget at all, but simply a statement of the position of the finances of India, hitherto it had been made in the House of Commons, and he had no doubt that the House of Commons would require his hon. Friend who represented the Indian Department there to make that statement in that House; but their Lordship's were perfectly entitled to have another statement upon the subject made to them. He intended, with their Lordships' permission, at the proper time to lay before them a statement respecting the Indian finances.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the *5th of April.*

TITHE RENT-CHARGES (IRELAND.)

MOTION FOR RETURNS.

THE EARL OF LIMERICK, in moving for a Return of all tithe rent-charges sold in the Landed Estates Court, Ireland, said, it appeared probable that a measure having for its object to make great changes in the position of the Established Church of Ireland would come before their Lordships during the present Session, and he thought it was of importance that all the information that could be obtained both as to the income of that Church and as to the amount of capital represented by that income, should be in their possession. The Report of the Royal Commission gave very full details as to the income of the Irish Church, and from that Report he found that the net annual income of that Church, including the net annual value in houses and land amounted to £616,840, of which the tithe rent-charge was £364,224. The object of the Return for which he moved was to put their Lordships into possession of some information as to the capital represented by the tithe rent-charge. There was a considerable portion of the tithe rent-charges in the hands of private owners, many of which had been sold at different times through the Landed Estates Court, and the price there obtained for them would afford a fair criterion for ascertaining the value of those in the hands of the Church. They differed in nothing except in the fact of their being in private hands from the tithe rent-charges in the possession of the Church. The noble Earl concluded by moving for—

> Return of all tithe rent-charges sold in the Encumbered and the Landed Estates Courts, Ireland, specifying in each case,
>
> 1. Date of sale: 2. Amount of rent-charge: 3. Whence accruing: 4. Price for which sold: 5. How many times the amount of each rent-charge the price is equal to.

LORD DUFFERIN said, there was no objection to granting the Returns asked for by the noble Earl, provided he would be content to take them a little short of perfect accuracy. To give the exact Returns asked for would involve the examination of upwards of 6,000 rentals, and would occasion a great deal of delay, and a considerable amount of expense. The expense and delay would be all the more unnecessary as he understood that ample materials were already in existence for substantially affording the noble Earl the information for which he had asked. He supposed that in those Returns should be included the amount of tithe rent-charge sold, not only in the Landed Estates Court, but in the Encumbered Estates Court.

Motion *agreed to.*

SALMON FISHERIES (SCOTLAND).

ADDRESS FOR A RETURN.

LORD ABINGER said, that the Motion with which he should conclude differed slightly from that which he had placed on the Paper, as he had been informed that the information first asked for could not be given. Possibly some difficulty might arise in giving a Return where the valuation rolls had not been made up for ten years—in that case, he proposed that Returns should be given for the number of years with regard to which the roll did exist. As their Lordships might be aware, last week he had the honour of heading a deputation to the Home Office upon this subject, and on that occasion he stated the desire of the Scotch proprietors that there should be an amendment of the law, particularly in reference to the inspectors. There were inspectors in England and also in Ireland, but there were none in Scotland, and it would be impossible to carry out the provisions of the Act unless inspectors were appointed, and he hoped Her Majesty's Government would bring in a Bill to amend the Act of 1862, and from the answer he had received from the Home Secretary he had hopes that that would be done. He would therefore now ask whether Her Majesty's Government have considered the subject, and if there is any prospect of a Bill being introduced? The noble Lord then moved an Address for—

> "Return of the rent or value of the stake or bag-net fishings in Scotland as the same appear in the valuation roll of the counties or burghs within which such fishings are situate, with their rental for each year as shown in the valuation rolls for the last ten years."

THE EARL OF MORLEY said, there was no objection to the Return in the amended form. Of course, the Return could only be for the number of years during which the valuation roll had existed. With regard to the Question of the noble Lord, he could only say that he was not in a position to be able to give him any definite answer.

House adjourned at a quarter past Seven o'clock, till To-morrow, half past Ten o'clock

HOUSE OF COMMONS,

Thursday, 11*th March*, 1869.

MINUTES.]—Supply—*considered in Committee*—Army Estimates.

Public Bills — *Ordered—First Reading*—Civil Service Pensioners * [46]; Medical Officers Superannuation (Ireland) * [48]; Game Laws (Scotland) (No. 2) * [47].

First Reading—Real Estate Intestacy * [45].

Second Reading—(£8,406,272 13*s.* 4*d.*)—Consolidated Fund *; Lands Clauses Consolidation Act Amendment * [34].

FOREIGN OFFICE — MESSRS. BIDWELL AND MURRAY.—QUESTION.

Mr. T. POTTER said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether his attention has been called to the following statement, published as correspondence in a London newspaper on the 25th February, and signed "G. A.":—

> "Messrs. Bidwell and Murray, together with their legal confederate and another false witness of notoriously infamous character, also hired with public money, fabricated an ex parté statement to deceive the Law Officers of the late Government, and I was in consequence fined £2,000, which money Messrs. Bidwell, Murray, and Company divided between them."

He wished to inquire what truth there is in such allegation?

Mr. OTWAY said, in reply, that his attention had been called to the statement which the hon. Gentleman had just read to the House, and he was not sorry that his hon. Friend had noticed the matter, for it seemed to him that when charges were brought against public men in the discharge of their duties it was within the walls of Parliament that those charges should be made and met. He did not understand that his hon. Friend identified himself in any way with the statement he had read, and, therefore, he must say that the value of a statement of that nature depended very much on the character of the person from whom it emanated. With regard to the statement itself, he had no hesitation in saying that from begining to end it was utterly untrue. There were no clerks in the Foreign Office—if they were so minded—who had the power to use the public money in order to hire persons to deceive the Law Officers of the Government, nor had they any power to inflict fines of £2,000, or any other amount. Consequently, it was impossible that a fine of £2,000 inflicted by them should have been divided among themselves. Now, with regard to the gentlemen themselves whose names had been thus brought into prominence, he might remind his hon. Friend that during the last Parliament a statement not so precise, but somewhat similar in character, was made in that House against Mr. Murray, Assistant Under Secretary of State for Foreign Affairs, and the noble Lord the Member for King's Lynn (Lord Stanley) said of that statement that it was simply and absolutely without foundation. [Lord Stanley: Hear, hear!] And Mr. Layard, who followed, said that Mr. Murray's character stood too high to be affected by any charge of the nature alluded to. Now, he (Mr. Otway) must in justice say of Mr. Murray that he had served in the Foreign Office for forty-three years, having commenced his career under Mr. Canning, and served under the various Secretaries of State of that Department up to the present time, that he was Assistant Under Secretary of State in 1858, and therefore served under Lord Malmesbury, Lord Clarendon, Lord Russell, and the noble Lord opposite (Lord Stanley), and Lord Clarendon again, Mr. Layard, Mr. Egerton, and himself. He therefore thought the character of Mr. Murray might safely be left to the appreciation of those Gentlemen whom he had named; but for himself he felt bound to say—having known Mr. Murray for upwards of twenty years — that he was convinced that Mr. Murray was perfectly incapable of the conduct with which he had been charged. As for Mr. Bidwell, his family had been connected with the Foreign Office for a century, and himself for twenty-seven years, and he had written to him (Mr. Otway) to say that there was no foundation whatever for the charge, and that this was the first time, during the period he had been in the public service, that his public honour had been called in question. He therefore hoped the House would agree with him in thinking the statement in question utterly unworthy of any further notice.

IRELAND—IRISH FISHERY COMMISSIONERS.—QUESTION.

Mr. STACPOOLE said, he wished to ask Mr. Attorney General for Ireland, What course Her Majesty's Government intend to adopt with reference to the appointment of Commissioners or Inspectors of Irish Fisheries?

THE ATTORNEY GENERAL FOR IRELAND (Mr. SULLIVAN) was understood to say, that it was his intention to bring in a Bill on the subject, and he would then state what the intentions of the Government were with regard to the appointment of commissioners or inspectors.

INDIA—PUNJAUB TENANCY ACT.
QUESTION.

SIR CHARLES WINGFIELD said, he wished to ask the Under Secretary of State for India, To lay before the House a Copy of the Despatch of the Secretary of State for India to the Governor General of India, with reference to the Act passed by the Governor General of India in Council, on the 1st October, 1868, entitled, the Punjaub Tenancy Act?

MR. GRANT DUFF: Sir, I cannot do what my hon. Friend wishes, because no such Despatch exists. A Despatch on the Punjaub Tenancy Bill was drawn last November, but it was cancelled by the then Secretary of State in Council, and never went to India.

TASMANIA—PUBLIC WORSHIP.
QUESTION.

MR. C. REED said, he wished to ask the Under Secretary of State for the Colonies, Whether an Act passed by the Legislature of Tasmania in 1868, entitled "An Act to provide for the commutation of the sum of £15,000 a year reserved by the Constitutional Act for Public Worship in Tasmania," by which Act the sum of £100,000 is to be paid out of the Revenue of the Colony to the religious denominations willing to receive it—besides paying reduced annuities to the governing bodies of several of those denominations for existing incumbents—in the following proportions viz.—Church of England, £58,466 13*s.* 4*d.*; Church of Scotland, £7,866 13*s.* 4*d.*; Church of Rome, £23,106 13*s.* 4*d.*; Wesleyan Church, £7,333 6*s.* 8*d.*; Free Church of Scotland, £2,806 13*s.* 4*d.*; Jewish Church, £420—total, £100,000—has received the Royal Assent; and, if not, whether Her Majesty will be advised to give her assent to that Measure?

MR. MONSELL said, in reply, that in the year 1854, by the Constitutional Act of Tasmania, £15,000 a year was appropriated for public worship. In the year 1862 an Act was passed for the purpose of distributing that sum among the different religious bodies in proportion to their numbers, as taken at the last Census. The object of the Act to which the hon. Gentleman referred was to commute that payment of £15,000 annually by one sum of £100,000, to be distributed according to the numbers of each denomination as returned by the last Census. Tasmania, as his hon. Friend was aware, was a colony having representative institutions and a responsible Government; this was not an Imperial but a local matter, and therefore quite within the competence of the colony. That was the reason why Her Majesty had given her sanction to the Act.

LOAN SOCIETIES—QUESTION.

MR. P. A. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a Letter upon Loan Societies, addressed by Mr. Tidd Pratt to the Magistrate of the Westminster Police Court, in which he uses the expression, "I consider these Societies as perfect swindles;" whether he accords with this opinion, or considers the condemnation too general; and, whether the Government propose to take any, and, if so, what course upon the matter?

MR. BRUCE, in reply, said, it was only within the last few days that his attention had been directed to the subject, and the answers to the inquiries he had made had not been very satisfactory. At the same time, they were not such as would justify him in adopting the energetic language of Mr. Tidd Pratt. If further inquiry should prove the justice of the character given by Mr. Tidd Pratt of those societies, it would, of course, be the duty of the Government to adopt measures for altering the Act which regulates them.

COLLECTION OF ASSESSED TAXES.
QUESTION.

MR. MONK said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Government has taken into consideration the often expressed opinion of the Commissioners of Inland Revenue, that advantage would accrue to the Revenue by the transfer of the Assessed Taxes from the hands of Parochial Officers to the sole management and collection of the Department of Inland Revenue; and, if so, whether it is the intention of the Government to introduce any Measure to effect that object?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he had already stated, in answer to his hon. Friend the Member for Walsall (Mr. C. Forster), that he entirely agreed in opinion with those who objected to the present mode of collection. Having made that statement, and having now repeated it, he hoped his hon. Friend would so far moderate his zeal as to allow him his own time and his own way to effect the object in view.

IRELAND—CHURCH PROPERTY.

QUESTION.

MR. CORRANCE said, he would beg to ask the First Lord of the Treasury, Whether he will furnish to the House the sums respectively apportioned (out of the proposed sequestration of Church property — viz., £1,100,000) to Presbyterian purposes and the College of Maynooth; and, the specific uses and future purposes for which such sums are intended to provide?

MR. GLADSTONE: Sir, with respect to the uses and purposes for which these sums to be apportioned to the Presbyterians and Maynooth are intended I can only refer the hon. Member to the expressions in the Bill; for Her Majesty's Government have embodied in those expressions all that they have, as at present advised, thought expedient, or desirable with respect to these purposes. As far as Maynooth is concerned the matter is perfectly simple. There is nothing to do except to take the sum granted annually out of the Consolidated Fund and multiply it by fourteen. It is also a perfectly simple matter to obtain the precise amount, which is a very small amount, of a debt now due on the part of the College of Maynooth to the Board of Works in Ireland, which I mentioned in my opening statement on the Irish Church. But with regard to the main portions of this question, the only information that could be supplied to the hon. Member would be a Return of the sums voted last year or proposed to be

voted this year for the Presbyterians, because the Government is not in possession of data that would enable them to present a precise computation of the amount. They depend, for example, on the ages of the Presbyterian clergy, and we are not in possession of the age of each Presbyterian clergyman, nor could we with propriety well call upon those gentlemen to return their ages. Therefore the hon. Gentleman will see that precise information cannot be given. Something over £700,000, or between that and £750,000, I have little doubt, is the sum that will go to the Presbyterians under this arrangement, and the annual amounts voted can be easily obtained if the hon. Member wishes for them.

METROPOLIS—SEMAPHORE NEAR PALACE YARD.—QUESTION.

CAPTAIN DAWSON-DAMER said, he would beg to ask the Secretary of State for the Home Department, Whether that structure called a semaphore, on the crossing near the Houses of Parliament, is conducive to the safety of the public; and, if not, whether he will give instructions for its removal? It was his intention, at an early day, to make some observations relative to the so-called fountain at the corner of Great George Street, Westminster.

MR. BRUCE said, in reply, that before the commencement of every Session an order was issued to the Chief Commissioner of Police requiring him to take measures to secure convenient access to the House for hon. Members, and also for their safety. Up to this time the method adopted had been to station at the principal crossings policemen, who endeavoured, at very great risk to themselves, to stop the great mass of vehicles sometimes collected in those thoroughfares, so as to allow of safe transit. During the last Session a policeman died of the injuries he received at one of those crossings, and two Members of Parliament were knocked down. He understood that the signal which was intended to obviate these dangers, by giving better notice to vehicles than could be afforded by the out-stretched arms of a single policeman, had been partially successful. The signal was obeyed by the drivers of omnibuses and cabs, who were familiar with it, and it was beginning to be obeyed by the less intelligent drivers of other vehicles. The general result was that although the signal had not been completely successful, yet, in the opinion of the district superintendent, it conduced considerably to the convenience and safety of the public, and that officer was so strongly impressed with its advantages that he recommended its adoption in other districts. For himself, he hoped that it would prove useful; for he could not venture to assert that it was ornamental.

COAL MINES—REPORTS OF INSPECTORS.—QUESTION.

MR. DIMSDALE said, in the absence of his hon. Friend (Mr. Greene) he would beg to ask the Secretary of State for the Home Department, If he will cause the Reports of the Inspectors of Coal Mines for the past year to be laid upon the Table of the House, in order that Members may read them before the promised measure with reference to accidents in Coal Mines comes under discussion?

MR. BRUCE said, in reply, that these Reports had been already sent in, and he hoped that the whole of them might be published within the next month—a very much earlier period than usual. Recognizing the importance of having the Reports printed at an early date, the Government hoped they might be able by dint of pressure to lay them on the table soon.

DISTRICT MEDICAL OFFICERS (BIRMINGHAM.)—QUESTION.

MR. DAVENPORT said, he wished to ask the President of the Poor Law Board, Whether it is true that the Birmingham Guardians of the Poor have cut down the number of the District Medical Officers from eight to five, thereby giving to each District Medical Officer an average population of 45,000; whether any Memorial of the 20th day of February 1869 has been sent in from the Medical Practitioners of Birmingham protesting against this alteration; whether the Birmingham Branch of the British Medical Association have sent in a similar Memorial; and, whether he will lay upon the Table a Copy of such Memorial and the Correspondence that has passed between the Guardians and the Poor Law Board?

MR. GOSCHEN, in reply, said, it was so far true that the Birmingham Board of Guardians had cut down the number of their district medical officers from eight to five—that at the election which was held lately they elected only five of those officers instead of the eight they formerly had. But the question was by no means settled as between the Poor Law Board and the Birmingham Guardians. Remonstrances had been made against the proposed alteration of these numbers; and a letter was addressed in consequence by the Poor Law Board to the Birmingham Guardians, asking for an explanation of the grounds of the alteration. The Guardians did not answer that letter, but on the 4th of March they elected five instead of eight district medical officers. On the 6th of March the Poor Law Board wrote to them again, asking for an explanation of that election having been held notwithstanding its previous letter, and in that later communication the Poor Law Board said it was at a loss to know what were the grounds on which the proposed reduction in the number of district medical officers rested, and stating that, the Board must refuse its sanction to that reduction unless it could be satisfactorily shown that the duties of the district medical officers had very materially diminished. That reduction had however been made, and officially the Poor Law Board had no information of the circumstances; but he was informed that while the district medical officers had been reduced from eight to five, their salaries had been increased from £150 to £200, and a public vaccinator—whose duties were previously performed by the district medical officers—had been appointed; so that the reduction in the number was rather from eight to six than from eight to five. However, unless good grounds were shown for the alteration, it would not be sanctioned by the Poor Law Board. The Memorial received on the subject from the Council of the Birmingham Branch of the British Medical Association alleged that the proposed reduction was contrary to the interests of the poor and of the medical profession. It was, however, not with its bearing on the interests of the medical profession so much as with its bearing on the interests of the poor that the Guardians and the Poor Law Board were properly concerned.

IRELAND—MURDER OF MR. ANKETELL. QUESTION.

Mr. WINGFIELD VERNER said, he rose to ask the Chief Secretary for Ireland, Whether, in consequence of the letter of the Rev. Mr. Reichel, Vicar of Mullingar, in the public press, stating that Mr. Anketell, the station master, had for some time known that he was "a marked man," and had informed him "that his dismissing a railway official had been referred to from the altar of a Roman Catholic chapel in such terms as induced two most respectable Roman Catholics to go to him and disavow all sympathy with what had been said," the Government have instituted or intend to institute any inquiries with regard to this altar denunciation and its connection with the subsequent murder?

Mr. CHICHESTER FORTESCUE, in reply, said, he could only say at present that the Government were instituting the fullest inquiries into all the circumstances connected with that deplorable and detestable murder, and those inquiries would include the investigation of the truth of the statement contained in the hon. Member's Question.

IRELAND—COLLEGE OF MAYNOOTH. QUESTION.

Mr. NEWDEGATE said, he wished to ask the Chief Secretary for Ireland, When the Returns respecting the College of Maynooth, which were ordered by this House on the 8th of March, will be in the hands of Members?

Mr. CHICHESTER FORTESCUE said, in reply, that he could not say precisely the date on which these Returns would be in the hands of Members, but hoped they would be in a few days.

NEWFOUNDLAND CONFEDERATION. QUESTION.

Mr. ADDERLEY said, he wished to ask the Under Secretary of State for the Colonies, Whether the Newfoundland Legislature have addressed the Queen for admission into the Confederation of the Canada Dominion, according to the Section of the Union Act providing for such admission?

Mr. MONSELL said, in reply, that no Address to the Queen had been received from the Newfoundland Legislature for admission into the Confederation of the Canada Dominion; but the Governor of Newfoundland had called attention to the subject in the Speech with which he opened the Session of the General Assembly on January 28, and the House of Assembly, in reply, stated, that they fully concurred with the Governor in thinking that the time had arrived for taking the section of the Union Act providing for such admission into consideration; and they assured the Governor that they would give their consideration to the question of the union of Newfoundland with the Dominion of Canada upon fair and legitimate terms. Resolutions were proposed on the subject in the Newfoundland Legislature, and a telegram had been received stating that the Colonial Legislature had passed a Resolution in favour of joining the Confederation.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

Mr. FAWCETT said, he would beg to ask the First Lord of the Treasury, Whether he will not facilitate the passing of the University Tests Bill, by allowing its Second Reading to be taken on a Government night?

Mr. GLADSTONE: I should be sorry Sir, to see the Business of the House in such a state that the University Tests Bill should be in any danger from obstructions connected with time. But having said that, I am sorry to add that, with the present demands of the Public Business, and especially of Supply, and the great measures on the Irish Church which we have in hand, I am not able to displace the Government business in favour of the University Tests Bill.

Mr. FAWCETT: I would ask the right hon. Gentleman whether, as the University Tests Bill was introduced by a Member of the Government, that Bill is to be regarded as the measure of a private Member, or as one with which the Government have something to do?

Mr. GLADSTONE: It is a Bill which, I believe, is supported by all the Members of the Government, and it was introduced by my hon. and learned Friend the Solicitor General in his capacity as a private Member.

Mr. DISRAELI: I would appeal to the hon. and learned Solicitor General to re-consider the arrangement he suggested last night in regard to this measure. I cannot now, consistently with the Rules of the House, state the reasons which induce me to make this appeal, but I may just say that it is very important when Questions of this nature are brought forward that there should be no doubt as to the time at which they will be proceeded with. It is for the interests of both parties that such arrangements should be distinctly known.

Mr. WALPOLE said, that his hon. and learned Friend the Solicitor General had stated to him privately that the Bill would come on either to-night or on Monday. It would, however, be greatly for the convenience of Members if they were distinctly informed whether it would come on to-night or not.

Mr. GLADSTONE: I quite agree that it is very desirable that it should be known whether a Bill of this kind is coming on for discussion or not. The arrangement, however, which has been made is the result of a conference between my hon. and learned Friend the Solicitor General, and the hon. and learned Member for Richmond (Sir Roundell Palmer), and I believe that arrangement is to the effect that the Bill is to come on to-night, provided the Army Estimates are over by half-past ten o'clock.

Mr. GATHORNE HARDY said, he understood that ten o'clock was the time named.

Mr. GLADSTONE: There will be no disposition to press the question as to whether the time is ten o'clock or half-past.

Mr. BOUVERIE said, he was authorized to say that the Bill would not be proceeded with that night; but that it would stand second on the Orders for Monday, coming after the Endowed Schools Bill.

In reply to Mr. E. Egerton,

Mr. W. E. FORSTER said, that he did not propose to proceed that night with the Contagious Diseases (Animals) (No. 2) Bill. Indeed, he should not ask the House to assent to the second reading before Easter.

Colonel STUART KNOX said, he wished to know whether the Returns relating to the College of Maynooth would be distributed to hon. Members before the Irish Church Debate came on?

Mr. CHICHESTER FORTESCUE said, he expected they would, but was unable to answer the Question positively.

Mr. T. CHAMBERS said, he wished to ask whether the Lands Enclosure Bill would be taken to-morrow night?

Mr. KNATCHBULL-HUGESSEN replied, that it would be postponed to Monday next.

In reply to Mr. Beresford Hope,

Mr. W. E. FORSTER said, he intended to proceed on Monday with the Endowed Schools Bill.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

ARMY—THE HORSE GUARDS AND THE WAR OFFICE.—RESOLUTION.

Mr. WHITE said, the question of the administration of our Army was, in his humble judgment, not a mere military or professional matter, because every Member of that House who was in favour of economy in the great public Departments must be deeply interested in the subject which he was about to bring under their notice. Having regard to the magnitude of the annual Votes for army purposes—the largest in the aggregate which were passed in Committee of Supply—a very heavy responsibility devolved upon hon. Members, as the guardians of the public purse, and they ought to take proper care that the monies which were voted should be frugally and judiciously expended. It would be difficult to overrate the social, political, and economical importance of this question, involving as it did the maintenance or the abolition of the present effete and vicious system of army administration. He would premise that he should not treat this subject in a personal or offensive manner. What he was about to say would not have special reference to individuals, but would be equally applicable if the head of the Horse Guards were an officer sprung from the ranks of the people, instead of being, as he was, an amiable and popular Prince of the Blood Royal. When, on a former occasion, the subject of Horse Guards' management was brought before the House, Mr. Bernal Osborne remarked that the Horse Guards was such an Augean stable of corruption that it could never be cleansed unless the Serpentine were made to flow through it. Now, he begged to assure the House that he should not give utterance to a remark so rude, and, perhaps, so true. Prior to the Crimean War the administration of the army was divided into five distinct heads or departments, independent more or less of one another. Every one of them possessed some of the attributes of a Minister of War, but none of them were endowed with adequate powers to perform their duties properly and efficiently. In the years 1854 and 1855 these separate departments were consolidated, or rather merged, into the new Office of the Secretary of State for War, and it would be remembered that the great change then effected was the result of a panic feeling created by that hideous collapse of our military administration during the Crimean War, when, indeed, the military prestige of this country would have been irreparably injured but for the gallantry and devotedness of the officers and men who were engaged in that disastrous war. Having regard to the relative duties which then and now subsisted between the Secretary of State for War and the Horse Guards, he confessed that, considering the Secretary of State was not endowed with the power possessed by the First Lord of the Admiralty, he thought that that change was, in a financial point of view, a national calamity, because such an appointment fostered and encouraged the normal tendency to extravagance in the Horse Guards, while it also tended to sustain an obnoxious system of dual government and of divided responsibility, which he believed to be detrimental to the best interests of the army and of the country. Eminent authorities, however, who sometimes created and sometimes governed public opinion, now asserted that it was altogether a mistake to suppose that there was dual government or divided responsibility in the administration of the army, and that it was owing to the accident of two branches of the same great Department being in different localities that so inveterate a delusion had been engendered and perpetuated. As assertions of this kind were made by authorities which commanded respect, he felt it would be a piece of foolish obstruction and ridiculous pertinacity on his part to persevere with the Motion of which he had given notice unless he were able fully to justify it. Hence he was compelled to inquire into his own belief as to the existence of a dual government and a divided responsibility in the administration of our army. He went into the Library, and the first thing he laid his hand upon was "the Official Handbook," from which he found that the Commander-in-Chief was

> "the supreme executive military authority, having entire control and personal superintendence of the military force of this country, and of matpers referring to its interior economy and discipline."

Now that definition of the position of Commander-in-Chief was quite sufficient, in his opinion, to show that there were two authorities in the adminstration of the army. He found also a War Office Circular of 1867, No. 76, commencing with the words—"The Field-Marshal Commanding-in-Chief, in conjunction with the Secretary of State for War, &c.," and another, No. 854, for the year 1864, with the words—"The annexed regulations have been approved of by His Royal Highness the Field-Marshal Commanding-in-Chief and the Secretary of State for War, &c.;" while there was a third relating to barrack cookery utensils, with the words—"The Secretary of State for War has decided, with the concurrence of the Field-Marshal Commanding-in-Chief," clearly taking for granted the existence of a divided authority. But, supposing such evidence of the duality which he maintained existed in our military administration were not deemed conclusive, he would refer, in support of his opinion on the subject, to a debate which occurred about ten years ago, in which the Secretary for War of the day (General Peel) said—

> "He could not assent to the proposition that the different offices should be placed under the control of one responsible Minister of State. At present, the command, discipline, and patronage of the army were controlled by the Crown through the Commander-in-Chief."—[3 *Hansard*, cl. 1339.]

General Peel, on the same occasion, added—

> "He was aware that there was no person directly responsible to the House for the manner in which the duties of the Commander-in-Chief are performed. He was only responsible to the Crown."—[*Ibid.*, 1340.]

He found that Earl Russell, who was then in that House, demurred to the doctrine of General Peel, declaring that it could not be the case in this country that the Commander-in-Chief should have absolute and irresponsible control. The late Lord Herbert, on the same occasion, said that the Commander-in-

Chief was completely under the control of the Secretary of State; while the late Duke of Newcastle, on a subsequent occasion, gave it as his opinion that neither General Peel nor Lord Herbert was right, contending that the position of Commander-in-Chief involved the Secretary of State for War in legal, though not in moral, responsibilities. It was hardly wonderful, with such conflicting authorities before them, that the public should be in a state of obfuscation as to the true position in which the Commander-in-Chief stood in relation to the Secretary of State. For his own part, he must confess that, having given some attention to the matter, he had returned to his former conviction, which was that there was a dual government and a divided responsibility in the management of our military affairs, a state of things which he believed to be most mischievous and detrimental to the best interests of the public service. If he were to seek for an illustration of the justice of that view, he might find it in the Abyssinian Expedition; for in the directions and orders which had issued from the Horse Guards and the War Department in reference to that expedition there was the most lamentable evidence of mismanagement and of contemptuous and reckless disregard not only of economy but of common sense, as was abundantly proved by the enormous amount of the expenditure incurred. He knew there was a class of men whom it delighted to maintain that the flowers placed on Nero's tomb were deserved, and that our own Henry VIII. was the most kind hearted and benevolent of English Sovereigns, and he would leave it to casuists such as those to prove that no dual government existed in the army. The nature of the present system was well described in an able article which had recently appeared in the *Pall Mall Gazette*, from the pen of a gentleman than whom there was no one more competent to pronounce an opinion on the subject. The writer to whom he referred said—

> "The cumbrous and superannuated mode of doing business in the War Department is illustrated by the very simplest piece of patronage, if it can be called patronage, in connection with the management of the army—the appointment of a young man who is found qualified for a commission by purchase. After all preliminaries are complied with, the money lodged, and the regiment selected, the youth's name must go through the following zigzag journeys before he can bloom into a real ensign:—1. From the Horse Guards to the War Office for approval; 2. From the War Office to the Horse Guards approved; 3. From the Horse Guards to Her Majesty for her sanction; 4. From Her Majesty to the Horse Guards sanctioning; 5. From the Horse Guards to the War Office; 6. From the War Office to the *Gazette*. When this is the case respecting a matter about which there can be no dispute or doubt; when the merits and qualification of the individual have been previously settled, we may guess how it is with questions upon which controversy may arise or further information be needed."

He found, he might add, from the Report of the Commitee on Military Organization, that the money value of the commissions which had been given away at the Horse Guards between the 1st of January, 1853, and the 30th of October, 1859, was no less than £1,271,250, and he also learned from the same source that the Duke of Cambridge—when examined before the Committee as to the patronage which he exercised—said that the patronage was exercised on principles which rested in the breast of the Commander-in-Chief for the time being. Lord Herbert also stated that the Secretary for War had no voice in the selection for first commissions, and he had seen it mentioned that the money value of the first commissions which had been given away since His Royal Highness had been at the Horse Guards might be estimated at more than £2,000,000. It was not surprising, he might add, that the hon. and gallant Member for Truro (Captain Vivian), with that ardent love for his profession and that zealous desire to promote the interests of his country which distinguished him, should have turned his attention to the subject; and the hon. and gallant Gentleman accordingly, on the 1st of June, 1858, moved the following Resolution, which he (Mr. White) at that time supported:—

> "That although the recent consolidation of the different Departments of Ordnance, Commissariat, and Secretary at War has to a certain extent improved the general administration of Military Affairs, a divided responsibility still exists; and that, in order to promote greater efficiency, the Departments of the Horse Guards and War Office should be placed under the control of one responsible Minister."—[3 *Hansard*, cl. 1336.]

There divided or paired in favour of that Resolution 157 Members, of whom seven were now in the Upper House, and fifty remained still in the House of Commons. Among the seven Peers were Lord Russell, the Duke of Sutherland, Lord De Grey, and Lord Athlumney, and eight of those Commoners now sat on the Treasury Bench—namely, the President of the Board of Trade (Mr. Bright), the Attorney-General (Sir Robert Collier), the Under Secretary for India (Mr. Grant Duff), both the Secretaries of the Treasury (Mr. Glyn and Mr. Ayrton), the Secretary of the Admiralty (Mr. Baxter), the Military Lord of the Treasury (Captain Vivian), and one of the Lords of the Admiralty (Lord John Hay). Though the Resolution was affirmed, the Government did not bring in any administrative measure to carry it into effect, nor did they take any means to rescind the Resolution. Lord Russell, the late Mr. Ellice, and Mr. Horsman urged most strongly that it was incompatible with the dignity of the House of Commons not to take some notice of it, and owing to the pressure put upon the Government, a Select Committee was appointed in the following year. That was the memorable Committee known as the Military Organization Committee, whose Report was a text-book of information upon the relations between the Secretary of State and the Horse Guards. A very strong Committee was selected, and presided over by Sir James Graham, and half-a-dozen of the most conspicuous Members now in the House served upon it; but as the Mover meanwhile had lost his election, the Committee had not the benefit of his assistance. As often happened in such cases, the Report was a compromise, and the scheme of Lord (then Mr. Sydney) Herbert was avowedly recommended, "because it had the merit of reducing change to a minimum." After an attentive perusal and study of the Report, he was constrained to say that the verdict did not appear to him to be in strict conformity with the evidence; but as illustrating the normal and persistent obstructiveness of the Horse Guards to all improvement, he might mention that more than eight years elapsed before any one of the recommendations of the Committee were carried into effect. It was well known that successive Secretaries for War had striven to improve the organization of the army, but some influence too powerful to be overcome had been in operation, and for eight years nothing was done. At last, thanks to the pertinacity and zeal of the right hon. Gentleman (Sir John Pakington), one of the recommendations of the Committee was adopted, and so almost superhuman was that effort deemed that it was made manifest in the most conspicuous manner possible. The country and the world were told of that mighty feat through the medium of the Queen's Speech at the end of last Session—

> "By the Appointment of a Controller-in-Chief in the War Office a considerable Reform in Army Administration has been commenced, which, by combining at home and abroad the various Departments of Military Supply under One Authority, will conduce to greater Economy and Efficiency both in Peace and War."

The present wretched condition of our army administration might, he thought, be inferred from a recent correspondence with the Treasury respecting this new reform. Sir Edward Lugard, the Under Secretary for War, for example, said—

> "It will probably lead by degrees to extensive re-organization and amalgamation, both of the War Office and the civil departments of the army, tending to a considerable reduction of public expenditure."

Knowing the potent, and as he believed pernicious, influence that was exercised at the Horse Guards, and believing also that true economy was identical with true efficiency, he despaired of any great advantage accruing to the public even from the appointment of so energetic an officer as Sir Henry Storks. So far as he could make out, while Sir Henry Storks was appointed to control the military expenditure, and was alleged to be responsible to the War Office, he was yet divested of all real control, seeing that he was not allowed to report formally to the War Office without the sanction of his chief at the Horse Guards. Be this as it may however, he found this under Sir Henry's own hand—and the House might thence deduce what was the present condition of things when he recommended that there should be a new audit, and that it should be independent of the War Office. And Sir Henry Storks, speaking of the greatest spending Department of the State, actually thought it necessary in this year of grace to lay it down as essential to the efficient conduct of the Department, "that the responsibilities of the heads of Departments should be defined," and, further—

> "That it is essential that the audit should be made on completed transactions, and that every charge should be judged of by the sufficiency of the proofs adduced in support of it."

What other principles of audit than these had ruled up to this time, he (Mr. White) must leave the Secretary of State to discover. No better evidence could be furnished to his mind of the necessity of the recommendation with which he should conclude than the excessive costliness of our military system. He found that the total cost of our regular army, comprising 127,336 men, was £12,795,000, or in round numbers £100 per head per annum. The French army, according to the Budget of 1870, numbered 400,000 men, and their estimated cost was £14,920,000, or only £37 6*s.* 8*d.* per man. No doubt he would be met by the plea that in France there was a conscription, while here we had voluntary enlistment, so that no just comparison could be made between the cost per soldier in the two countries. He would not now examine that point, but no such objection could be made to his contrasting the annual charge for the central administration in each army; and while the cost of this in England for 127,336 men was £220,079, irrespective of superannuations, amounting to £132,000 more, its cost in France was but £80,000. Thus the proportion per man for the cost of the central administration was £1 8*s.*, and in France only 5*s.*, so that we paid nearly six times as much as the French did for this branch of the service. Six years ago the Marquess of Salisbury (then Lord Robert Cecil) made an exhaustive speech in illustration of the expensiveness of our military establishments, observing that the figures he adduced indicated a most disgraceful state of things. In spite of small parings the same observation was strictly applicable to the existing state of the War Department; the present Estimates being quite as extravagant as those which provoked the denunciation of the Marquess of Salisbury in 1863. He had yet to learn why the superfluous office of full colonel should be kept up. Of course he would save the rights of the present incumbents; but he saw no reason why vacancies should be filled up, because that post was nothing more nor less than a sinecure, for a full colonel often never saw the regiment from which he drew his extra pay. If the Secretary for War turned his attention to that point, he might realize a saving of £100,000 a year without affecting in the smallest degree the real efficiency of the army. If it should be urged that the Resolution he was about to move would interfere with the Prerogative of the Crown, he would observe that the object of the modern use of such an argument was not to vindicate the just authority of the Sovereign but to screen the abuses of the servants of the Crown. The late Lord Herbert, when asked whether he saw any constitutional objection to the subordination of the Commander-in-Chief to a civil officer in England, replied that he saw a constitutional necessity for it, and that, in a Parliamentary form of Government, that subordination was right. He had strong authority for what he was urging on this point, for Lord Grey, who had done so much to improve the condition of the army, stated before the Military Organization Commitee—

> "The whole notion of there being anything unconstitutional in bringing the army more under the Ministry of the day seems to me to arise from confusion between powers exercised by the responsible Ministers of the Crown and powers exercised by Parliamentary Committees, or some mode of that kind. Undoubtedly it was very unconstitutional in the Long Parliament that all powers of the State should be assumed by Committees of the House of Commons, but that power over the army should be exercised by a responsible servant of the Crown seems to me to be an absolutely essential principle of our Constitution."

He found that the present head of the Horse Guards had filled that office during the last thirteen years, during which period there had been eight different Secretaries of State for War. Now, he must say, with all respect, that however amiable the occupant of that post might be, there was such a thing as an official holding his office too long. The country would have made but little political progress during the last thirteen years if the same Premier had held Office for the whole of that period. Persons well qualified to judge declared that even the Duke of Wellington was far too long at the head of the army, though he was only eleven years in that position. The late Duke, however, obstinately objected to many improvements in army organization, and any weapon but Brown Bess, with which he won his victories, was strongly repugnant to his feelings. Had the Russian War occurred during His Grace's tenure of Office the result might have been extremely disastrous from the want of the Minié rifle, which did such wonders at the battle of Inkerman. When, by a wholesome regulation the duration, of a Staff appointment was limited to five years, he saw no reason why the head of the Staff should have a longer tenure of office. He understood it was in conformity with a private arrangement made with Lord Palmerston in 1861 that the Field-Marshal Commanding-in-Chief and his subordinates at the Horse Guards have so long retained their offices beyond the "Regulation" term of five years. What, he believed, that the House and the country wanted was that the chiefs of Departments should be directly responsible to Parliament for the acts done in their Departments; and the present position of things in regard to the administration of the army was not creditable to the House or to the country. He need not remind the House how many Parliamentary Committees, Royal Commissions, Departmental inquiries, and official investigations there had been with respect to the army during the last few years, and the results had been almost profitless, as the diverting schemes of Queen Whim's officers and abstractors, chronicled by Rabelais. Talk of a grievance! Who that knows a military officer does not know a grievance? He held an officer of the army to be the incarnation of a grievance. With respect to the mutual relations between the Horse Guards and the War Office, the Duke of Wellington said the best rule was mutual good temper and forbearance on both sides. That might do in the days of the Duke of Wellington, when economy was considered and practised; but now, alas! economy was not only not practised, but was positively despised, and about double the amount was now to be voted for the army than sufficed when the Duke was Commander-in-Chief. Public attention having been called to the subject, the remedy for every grievance was declared to be the placing of both Departments under one roof. That, he believed, was the opinion of the Committee, the House, and the Secretary for War; but there was not the slightest hope that the opinion would ever be acted on. He spoke thus confidently because, on the 12th of May last year, the Commander-in-Chief having attended the Treasury Commission appointed to consider the arrangements for the accommodation of public Departments, had indicated to him by the noble Lord, then First Commissioner of Works (Lord John Manners), the feeling of the public as to the desirability of bringing the War Office and Horse Guards under one roof. His Royal Highness answered that he did not see the slightest advantage in doing so, and when told that the Royal Commission on Military Organization (presided over by the late Sir James Graham) recommended that the War Office and the Horse Guards should be under the same roof, and that General Peel was for that union, His Royal Highness replied—

> "With all respect, I dissent entirely from that view. The duties in the War Office and our duties in the Horse Guards are so distinct that there is no necessity for our being under the same roof; not the slightest. . . . I think, besides, as we are a traditional country, that the removal of the Horse Guards would be something like removing a Royal Palace—St. James's Palace, for instance—or any other long-established building or institution, and I think it would be a most unpopular idea. I cannot think it would be desirable to do away with the present entrance to St. James's Park, and I do not believe that the inhabitants of London would like to be without those two sentries who have been there from time out of mind."

To the admiration of the nurserymaids of London no doubt. Well, however, as the matter now stood, if the Secretary of State be the supreme effective Chief of the War Department—which like his predecessors he claims to be in theory, but which neither he nor his predecessors have ever dared to be in practice—he must be held responsible accordingly for all official abuses and all the corruption in the Department which might be brought under the cognizance of the House; especially would he (Mr. White) hold him censurable for having made so scanty a reduction as £1,250,000 upon the vast outlay of £15,500,000. Still, if the right hon. Gentleman had full control, as he should have, over the army expenditure, it would be an insult to his financial sagacity to imagine that he could not have easily made such reductions as would have relieved the country of, at least, 2*d.* of the income tax, or the whole of the tea duty, amounting to £2,800,000. He concluded by moving that—

> "In order to promote greater economy and efficiency, the Departments of the Horse Guards and the War Office should be placed under the control of one responsible Minister."

Mr. FAWCETT seconded the motion.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "in order to promote greater economy and efficiency, the Departments of the Horse Guards and the War Office should be placed under the control of one responsible Minister,"—(*Mr. White*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. CARDWELL: The question which we are now going to decide is whether we shall continue the discussion upon the large question raised by my hon. Friend, or whether it will rather be the pleasure of the House to go into Committee of Supply and discuss the Army Estimates. Now, my hon. Friend, in his interesting speech, has not confined his observations entirely to the subject of his Motion, but has made remarks which have direct reference to the Estimates. I have, therefore, risen immediately to ask him whether he will not consent that you, Sir, leave the Chair, and that we now proceed to the general Business? I must say, however, that before the House determines that an establishment ought to be under the control of one responsible Minister, it should be quite sure the state of things desired does not already exist, and as far as I am capable of understanding the situation that state of things does exist. But my hon. Friend appeals to a former Resolution of this House, moved by my hon. and gallant Friend the Member for Truro (Captain Vivian), and he says that, because that Resolution was carried, it is an encouragement and an inducement for him to move it again. But surely he must see that if the House of Commons had been very earnest about that Resolution it would have insisted upon its being carried into effect. The House, however, re-considered its decision and referred the question to a most influential Committee; upon that Committee served my hon. and gallant Friend the Member for Truro, and at its head was perhaps the most weighty name among independent Members of Parliament at that time—the late Sir James Graham. That Committee considered the question under peculiar circumstances; the Patent of the Secretary of State then contained a reservation which it does not now contain, yet they decided that even with that reservation it did not prevent the Secretary of State from interference in every matter it was desirable there should be interference. My hon. Friend says the discipline and command of the army is in the hands of the Commander-in-Chief, and not in the hands of the Secretary of State. But I believe the House will be of opinion that it is desirable the command and discipline of the army should be in the hands of an experienced soldier. At any rate, that was the opinion of the Committee, whose Report says, speaking of the Secretary of State—

> "Nor does he interfere in any way with the ordinary routine administration of the discipline of the army. That is left to the military authorities, aided by the legal knowledge of a Parliamentary officer,—namely, the Judge Advocate."

And what is the view the Committee take of the expediency of that state of things with regard to its effect upon the feelings of the army and its discipline? The Committee says—

> "The army is thus enabled to feel assured that the patronage of the army, as regards first commissions and the ordinary promotions and appointments, other than those which are self-regulated by purchase or seniority, will not be distributed with a view to political objects, or to the necessities of successive Governments. Nor will the discipline of the army, as daily administered, vary in its character with each change in the Civil Department. Your Committee think that the introduction of any system which shall shake this reliance on the part of the army would be prejudicial to the efficiency of the service, by introducing doubt and dissatisfaction where confidence should exist.

That was the opinion of that celebrated Committee—that was the opinion of the then House of Commons, pledged as it was to a different conclusion—and that, I believe, will be the opinion of the present House of Commons and of the country. My hon. Friend spoke in terms of kindliness and respect of the Field-Marshal Commanding-in-Chief; but he added that he thought His Royal Highness had held that office too long. I have quoted what was said by the Committee. My hon. Friend said there had been eight Secretaries of State, while there had been only one Commander-in-Chief. I have read what the Committee think, and I should like to ask the House what they think would be the state of affairs if, in that period of time, during which there have been eight Secretaries of State, there had also been eight Commanders-in-Chief. It is my opinion that the army is satisfied with the Commander-in-Chief, and that it would not be agreeable to the army if the view of my hon. Friend should be acted upon. I believe that the present state of things insures full responsibility on the part of the Secretary of State. I will never shelter myself in this House from any observations that may be made by any Gentlemen who may find fault with the administration of the army, by saying that the Secretary of State is not responsible. With these few remarks, I hope my hon. Friend will kindly permit us to pass to what was intended to be the business of the evening—namely, the discussion of the Estimates.

SIR PATRICK O'BRIEN said, he regretted that it should fall to a civilian, who could not be expected to have full information upon military matters, to support the Resolution. There were men of distinction and of great ability and knowledge whom he had heard express opinions upon this question favourable to the Resolution, but who were now, from the fact of holding Office in the Government, precluded from speaking with that power and energy which he had often heard them display on the subject of army administration. His hon. Friend who had brought forward this Motion and himself were far from desiring to say anything in the least degree derogatory to the distinguished individual the Field-Marshal Commanding-in-Chief; but it was one thing to speak of an individual, another of a system. It had been said that while there had been eight Secretaries of State for War the country happily had only one Commander-in-Chief; but he did not know that that was an advantage after all. For instance, when naval matters were under consideration in that House, the hon. Member for Portsmouth (Sir James Elphinstone), who had so long and so ably taken part in those discussions, and other naval Gentlemen freely expressed the opinions of the profession with respect to a proper system of naval administration. Now, why was it that naval officers so often brought the administration of naval affairs under review? The reason was, because the First Lord of the Admiralty was not a fixture. These hon. Gentlemen were in no terror of the First Lord; they were not afraid to put forth what they regarded as naval grievances. That was not the case with the army. There was not a civilian in that House who brought forward questions relating to the army of his own mere Motion, but was induced to do so by Gentlemen who knew that it was not for them to move in the matter. It was very generally believed that not only was there a dual administration of the army, but that a triumvirate presided over it, and that there was a military Secretary almost as potential as the Field Marshal Commanding-in-Chief. They had been told by the right hon. Gentleman (Mr. Cardwell) that the supremacy of the Secretary of State was recognized by the country. If nothing else came of the discussion, his hon. Friend had done good service by eliciting that observation. He was told, however, that there was no appeal to the Secretary of State from the decisions of the Commander-in-Chief, and therefore the supremacy was not complete. It was a theory of the British Constitution that the Sovereign could do no wrong—and why? Because every act of the Sovereign was the act of a recognized Minister. But with regard to the patronage of the whole army it was all in the hands of one individual, who, in that respect, they were told, was not responsible to the Secretary of State for War, and, therefore, not to the country. It was well to speak out on this subject. People felt about it, and the House of Commons was the place to express that opinion. He believed that, were military patronage entrusted to a responsible Minister, public opinion was strong enough to prevent its being abused to a base and unworthy purpose. Why should that patronage be vested in any individual who was not responsible to the Minister of the Crown? He held that the agitation of this question was useful, and that the country owed a debt of gratitude to the hon. Gentleman who had brought it forward. The other day the Abyssinian Expedition had formed the subject of discussion, and there was one little item of that large amount for which the War Office was responsible; he referred to the purchase of mules. Why was not the expenditure for that object reviewed in that House? Because it would take a fortnight or more to get an answer, such was the circuitous mode in which business was carried on. After the experience of the great war between Austria and Prussia everyone would admit the great merits of the Prussian system But in Prussia there was a recognized Minister for War for military administration, and a Field-Marshal, however distinguished, if not Minister of War at the time, was his subordinate, and the practice was the same in Paris and at Vienna. There was not a Member of that House who would not be delighted to see one who had distinguished himself in action, as His Royal Highness had done, commanding in a military capacity. It was one thing to command the army, and another thing to have the whole patronage and all the minutiæ of administration under his control. In India, that distinguished officer General Mansfield held a position in regard to the Governor General somewhat correlative to that of the Commander-in-Chief to the Secretary of State for War. But General Mansfield was subject in every respect, except in his military capacity, to the Governor General. He, for one, felt that the Field-Marshal Commanding-in-Chief ought to bear the same relation to the responsible Minister for the time being. He should vote with his hon. Friend if he went to a division.

SIR JOHN PAKINGTON: In the hope that the hon. Member for Brighton (Mr. White) will yield to the appeal made to him by the Secretary of State for War, and allow us to proceed without unnecessary delay to the consideration of the Army Estimates, I will not delay the House by entering at any length into this question. But having lately had the honour of holding the same position my right hon. Friend now fills, I feel bound to support and confirm what has fallen from him both on this and a former occasion with respect to the relative positions of the Secretary of State for War and the Commander-in-Chief, which he has stated with the greatest possible accuracy. I think the House will agree with me that it is most desirable that discussions of this kind should come to an end. The Motion of the hon. Gentleman says that "the Departments of the Horse Guards and the War Office should be placed under the control of one responsible Minister;" but that is exactly the present state of affairs. We have frequently heard the phrase "divided responsibility." There is no divided responsibility. If you refer to the opinion of Lord Panmure, the first Secretary of State under the new system, as expressed in the House of Lords very soon after its introduction, you will find that this very question then arose in the House of Lords, when Lord Panmure, in the presence of His Royal Highness the Duke of Cambridge, laid it down in the most distinct terms that the Secretary of State for War is responsible for every part of the administration of the army. I see the noble Marquess (the Marquess of Hartington) who preceded me at the War Office, in his place, and I would appeal to him, and also to my right hon. Friend who succeeded me (Mr. Cardwell), whether there ever was a public officer who entertained a more correct appreciation of his own position and his own duties than His Royal Highness the Commander-in-Chief. I appeal to them also whether they can recollect any occasion on which His Royal Highness has not readily acknowledged the superior authority of the Secretary of State and deferred to his opinion. I hope, Sir, that this question will not be constantly recurring, and that these mis-statements will not be repeated. It is evident that the hon. Member for Brighton has either received very erroneous information, or labours under very great misconception as to the real state of affairs. The hon. Gentleman referred to the change which I felt it my duty to introduce into the War Office in respect to the control department, and how did he express himself in regard to that measure of mine? He said it was a superhuman effort, and that it was done in spite of the potent and pernicious influence of the Horse Guards. There never was a greater delusion. I introduced that change with the full consent of my Colleagues in the Government, who agreed with me as to its expediency; and as to "the pernicious influence" of the Horse Guards, nothing of the sort occurred. The hon. Member for Brighton proceeded gravely to make the most extraordinary statement that Sir Henry Storks, the Controller-in-Chief, is unable to communicate with the War Office without the sanction of the Horse Guards. Sir, I hope the House will accept this as some proof of the necessity of caution in believing the statements that are made, and I hope also that the hon. Member for Brighton will accept it as a proof of the necessity of a little greater care, on his part, before venturing to make these statements to the House of Commons. I assure the hon. Gentleman that I mean no disrespect to him when I say that a more utterly nonsensical statement was never made. Sir Henry Storks is himself a high officer in the War Office; he sits there and is in daily communication with the Secretary of State for War. If he requires the sanction of the Horse Guards to hold these conversations and constant communications, all I can say is that that rule must have been introduced since I left the War Department.

Mr. WHITE said, he was entirely in the hands of the House, and would consent to withdraw his Motion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

(1.) 127,366 Land Forces.

Mr. CARDWELL: Sir, the ground over which I am obliged to travel is extensive; but, in asking for the favourable attention of the Committee, I promise not to occupy their time unnecessarily, and to confine what I have to say to that which I believe that you will wish to hear and ought to know. The first thing which I ought to state is what is the precise financial result of the Estimates which I propose to lay before the Committee. The first statement I have to make is that the total Estimate of last year was £15,455,400. The Estimate of the present year is £14,230,400, leaving, therefore, an apparent net decrease of £1,225,000. But, in order to make the comparison more close it will, I think, be right that we should first deduct the non-effective Votes, over which no Government has had any control; and if you deduct these you will leave the Estimate of last year £13,331,000, and the Estimate of the present year £12,047,600, being a decrease of £1,283,400. But this is not entirely the real decrease. There is a considerable item which is merely an item of account. The Indian Furlough Vote—a payment of £136,000—was charged on the Estimates of last year, and is not charged in the present year's Estimates, but is to be defrayed directly by the India Office itself. From this deduction, however, on the other side, there must be deducted two sums which diminish it. One is the sum of £20,000 for Convict Warders in Western Australia; the Vote for whose payment I used to have the honour of submitting to the House when I brought forward the Colonial Estimates—and, in quitting the Colonial Office, I thought I had lost the pleasure of their company but, by an arrangement which the Treasury have made, this charge is thrown, not on the Colonial Estimate, but on the War Office Estimate. Then there is the purchase of a piece of land at Woolwich, made two years ago; but which, owing to some circumstances, has not yet been paid for, but will have to be paid for in the present year, and which, not being wanted, will be sold and entered on the opposite side of the account. These two items make £49,250; and this sum has to be deducted from the sum of £136,000, leaving £86,750 as the real deduction to be made from the apparent decrease of £1,225,000. The total net saving therefore upon this year's Estimate, as compared with that of last year is £1,196,650. My hon. Friend the Member for Brighton (Mr. White) says this is only a very small "paring." I wish however to say to the Committee that if you take the net total of the effective Estimate—that is to say, if, looking at the balance-sheet on the first page of the Estimate, you take from the total of the effective services the estimated repayments on the other side of the account—you will leave, as the net total of the effective services, £10,834,600. If my hon. Friend the Member for Brighton will compare with that the £1,196,650, he will find that the reduction is more than 10 per cent on the whole of the net effective Estimate. And, although he may consider that is only a "paring," I hope we shall receive credit for it as a substantial reduction. Now, the cause of this reduction will be found to consist principally of two considerations—the one is a review of the distribution of our troops in the colonies, and the other is that arrangement which was made by the late Government, of which my right hon. Friend (Sir John Pakington) has just been speaking, and which, as the hon.

Member for Brighton said, was mentioned in the Queen's Speech at the close of the last Session of Parliament—an arrangement by which a greater control has been established over the expenditure in matters of Supply, from which I entirely agree with the statement of the late Government in the Queen's Speech, that the most beneficial consequences will result. To the former of these considerations — namely, the change in the distribution of troops in the colonies, I will first allude. There is always printed with the Estimates, which hon. Gentlemen have in their hands, a Paper which shows what is the expenditure of that colonial distribution. If any hon. Gentleman has compared the net expenditure of that distribution (after deducting the re-payments made by the colonies) for the two years, he will have found that that net expenditure in the Estimates of last year was £3,022,323; and that this year it is £2,237,886, leaving a decrease of £784,437. That, however, is subject to this correction — all that are called colonies in that account are not colonies. There is the widest distinction between these colonies which are occupied for the purposes of colonization, and those maritime posts which are occupied for Imperial objects as stations for our fleet. We therefore deduct all the expenditure for Gibraltar, Malta, Bermuda, Halifax, and the China stations, and having taken these off there remains for the colonies proper in the last year's Estimates £1,643,794; and in this year the Estimate is £1,070,735, being a reduction of £573,059. That is, in short, a reduction of one-third on that item. I hope that even my hon. Friend the Member for Brighton will allow that this is a pretty fair saving for the commencement of our operations. As regards the other consideration of which I spoke, the Store Vote shows only a decrease, on the face of the balance, of £341,400; but that is owing to a change suggested by the Treasury in the mode of distributing the accounts. And a note at the bottom of the page in the Estimates indicates that the true comparison would show a reduction of £549,081. Now, I have said that this reduction in the Estimate has been due to two considerations, of which the first is a change in the distribution of our colonial force, and I will, therefore, state that if you take the force at home—the distribution upon which the Estimate of last year was framed showed a force in this country of 87,505 men; whereas the distribution on which the Estimate of the present year is founded is 90,677, being an increase of 3,172 men. But since these Estimates were framed we have, in concert with the Colonial Office, recalled a regiment from New Zealand and another from the Cape, so that the total number of men at home will thus be 92,015. They will be distributed into cavalry regiments, each containing 554 of all ranks, with 344 horses; while of infantry regiments there will be sixty-one battalions, each consisting of 560 rank and file, or 668 of all ranks, those only which are going to the colonies containing a larger number. Perhaps, I may be told by critics of a certain school that 560 is a very small number of men to have in a battalion. But, Sir, I wish to state that very high authorities may be adduced on the other side of the question. There are three ways in which, if you desire at any time to reduce your force, you can accomplish your object. The first is by the reduction of battalions. By adopting that method you effect the greatest pecuniary saving; but, on the other hand, you incur these three undesirable results. First of all, you inflict a hardship on a great number of officers; secondly, you incur a considerable expenditure in half-pay for services for which you get no return; and, thirdly, and by far the most important, you are diminishing the strength and elasticity of your army and lessening the power of defence which you possess. The second mode by which you can reduce your force is by the reduction of companies in regiments. That is an intermediate course, which shares those disadvantages to a certain extent, but not to the whole extent. The last course is by maintaining your *cadre* intact, stopping recruiting, and diminishing the number of men in the *cadre*. This latter is the course pursued in the armies of France, where the *cadre* is always kept intact, though a number of men are permitted to be absent from their regiments. In a pamphlet, lately published by Colonel Baker, which has attracted a great deal of attention, this subject is spoken of as follows:—

> "A large number of weak battalions should be kept up in time of peace, complete in everything

but the number of men. I have taken the opinion of some most distinguished foreign officers, as well as those in our own service, as to the smallest number of men which would keep a battalion serviceable in time of peace, and nearly all agree that 500 is the lowest limit."

And he adds in a note—

"Among others, Marshal M'Mahon, perhaps, one of the greatest authorities in Europe. He thought 500 quite sufficient in time of peace, provided that the *cadreś* were fully kept up."

The net total effective of the present Estimate must be compared with the net total effective of the Votes of former years. In 1865-6 the net total was £10,786,407; in 1866-7, £11,005,300; in 1867-8, £11,785,300; in 1868-9, £11,988,000; in 1869-70, £10,834,600. The force available at home was—in 1865-6, 83,242; in 1866-7, 91,703; in 1867-8, 91,048; in 1868-9, 87,505; in 1869-70, 90,677, which, as I have said, we now propose to raise to 92,015. Then the force in the colonies, according to the distribution on which the Estimates of last year were framed, consisted of 50,025 men; but, according to the distribution on which the present Estimates are framed, the force will consist of only 34,852 men, a reduction having being effected of 15,173. Now, of course, the question will occur whether it is necessary that I should go into a lengthened argument for the purpose of vindicating the policy of withdrawing these troops from our distant possessions. The principal change has occurred in Canada. Last year's Estimates were based on the distribution of 16,185 men in the whole of our British North American possessions, whereas the Estimates of the present year are based on a distribution of 6,249 men. The Committee will remember the Select Committee of 1861, which was moved for by my hon. Friend (Mr. Arthur Mills), sitting on the other side of the House, to consider the general subject of our colonial military expenditure. They will remember also that that Committee reported that a great change was necessary in the policy of this country in that respect, in order that the burdens of the people at home might be diminished, and a spirit of generous self-reliance generated in our colonial possessions, so that the result might be mutually advantageous both to the colonies and to the mother country. Well, the Resolution of that Committee was adopted by the House, and from that time to the present, I think I may say it has been the settled policy of this country. By the Duke of Newcastle, when he was Colonial Secretary, it was first carried into effect with regard to the Australian colonies; and almost immediately afterwards, when I had succeeded him in the Colonial Office, there was withdrawn from New Zealand a force of 10,000 men, which at that time was waging war with the insurgent Maories. A little later the same policy was carried into effect in the Crown colonies of Hong-Kong, the Mauritius, Ceylon, and the Straits Settlements, not indeed by the withdrawal of the troops, but by making the colonists contribute towards their support; and just before I left the Colonial Office—having proposed in this House a Bill for the annexation of British Kaffraria to the Cape,—I gave notice to the Governor of the Cape that the policy adopted by the House of Commons in 1861 must at no distant time be applied to the Cape. That policy the Earl of Carnarvon carried into effect, and with regard to our colonies generally, with the exception of Canada, it has been our settled policy since 1861. Canada has been a remarkable exception, and, for remarkable and exceptional reasons, which reasons, however, have now ceased to exist. Before those exceptional reasons had arisen, there was no exception in the case of Canada. In the year 1851 Earl Grey, then Secretary for War and the Colonies, addressed to the Governor General of Canada a remarkable despatch, in which he pointed out that Canada, enjoying as she did the blessings of responsible government, must be prepared to encounter all the sacrifices which freedom and a responsible government demanded of her. And in 1853 the Duke of Newcastle, on reducing the force in Canada to a lower point than is proposed in the present Estimates, pointed out to the colonists the same thing, and read them the same lesson. In 1865 one of the strongest arguments for the Confederation of the North American Provinces was the necessity which lay upon them of looking forward to providing for their own defence. Exceptional circumstances, however, prevented the application of the policy to Canada until the year which has just expired, in the course of which my right hon. Friend who preceded me in Office (Sir John Pakington), commenced what I think was a sound and judicious policy by the application of the principle to Canada.

He withdrew, I believe, 3,592 men out of 16,000 men who were previously stationed there; and just about the time when he resigned the Seals of Office he or I received a letter from the Duke of Buckingham recommending a still further reduction. If the advice of the Duke of Buckingham had been adopted, there would, I believe, have been left in the British North American Provinces 8,944 men. Now, we think we ought to carry out that policy still further, and consequently we propose that only 6,249 men shall be left there. And here let me pause for a moment to ask whether this diminution of force is really any weakening of our colonies? In my opinion it is exactly the reverse. I do not believe that New Zealand was in any way better off when she had 10,000 of our troops to fight her battles. I do not believe it does strengthen the Empire. If, instead of calling upon your colonists to exert themselves and to rely on their own resources, you distribute forces among them in small divisions, you will paralyze their efforts without furnishing them with real strength. I believe that Canada, with 30,000 or 40,000 armed men of her own, occupies a stronger and more independent position than she ever did before. Again, I believe that Victoria, raising her own fleet to defend her own harbours, is in a better position to defend herself, and will be a greater strength to the Empire than at any previous time. One of the Eastern potentates—I think Hyder Ali—said the English he was afraid of were not those whom he saw, but those whom he did not see; and the true defence of our colonies is that they live under the ægis of the name of England, and that war with them is war with England. You are strengthening and defending your colonies, and increasing the power of England, when you generate in every one of the settlements where the British name is known a spirit of British energy and self-reliance; for you consolidate and concentrate the strength of the mother country for their defence in time of need. The way, then, in which this reduction has been effected has been that instead of having at home 87,500 men, representing forty-six battalions of infantry of the Line, we have now a force of which the aggregate is 92,058, respresenting sixty-one battalions. The reduction has been made by keeping up the *cadres* entirely, but by diminishing the number of men in a battalion. There are, however, certain exceptions to this rule. One of the West India regiments has been altogether reduced, and a portion of the Ceylon Rifles as well as a portion of the Canadian Rifles will also be reduced. I have laid down this principle, that it is not desirable to maintain at the expense of the mother country forces which, owing either to the conditions under which they are recruited or other circumstances, are purely local forces. A purely local force should, in my opinion, be paid solely from local sources, and forces paid from the Imperial Exchequer should, I think, be of an Imperial character, so that Her Majesty might be able to command their services at any moment in any part of the world. It was the boast of the Duke of Wellington that his army could do anything and go anywhere, but let a corps be ever so efficient, if in its nature it be purely a local force, it is evident it cannot satisfy the conditions of that canon, and be regarded as a force which can go anywhere and do anything. Looking at the requirements of the service for our West India regiments, we thought that one of them ought to be reduced. The two places in which these regiments are employed are the west coast of Africa and the West Indies. On the west coast of Africa we found that the nominal force employed was one regiment and a half, but if you come to calculate the real strength of the force, you find that in reality it is not more than a single regiment. The whole number of the rank and file on the west coast of Africa is only 844, whereas the strength of a regiment and half is 1,125. That decrease of strength is accounted for partly by the difficulty of recruiting, owing, I am glad to say, to the cessation of the slave trade, which furnished a source from which recruits were drawn. I may add that Governor Blackall and the present Governor of our West African settlements, Sir E. Kennedy, both recommended a concentration of the force, and I am sure the Committee will be glad to hear that the colony of Lagos, of which we heard so much some years ago, has now arrived at such a state of independence that the Resident there has signified his readiness to dispense altogether with the services of any of Her Majesty's troops. Under these circumstances, we thought we might entirely reduce one of the West India Regiments, and by that arrangement a saving of £20,000 has been effected, after allowing for the addition of one company to each of the three remaining regiments. The same principle applies to the Canadian Rifles, which is a very costly regiment, and these Estimates contemplate the reduction of four companies. With regard to the Ceylon Rifles, the case would have been less important, because that colony, by a recent arrangement, pays a full contribution to the Exchequer for the troops which she employs; but a reduction of four companies of this force also will be effected, in accordance with arrangements made with the colony. No reduction has been made in the companies on the British establishment, except that when a regiment returns home from the colonies its twelve companies are reduced to ten in accordance with the ordinary practice. I will now state to the Committee what the financial result is of the reductions which have been made in the different branches of the service. In the Artillery we have reduced two batteries of field artillery, and the reason is that these were batteries which were created expressly for the China War, in 1860; but at the present moment, considering the very large return of artillery from Canada, which adds materially to the artillery at home, we thought it time to reduce those two batteries. Four field batteries have been converted into garrison batteries, and the third line of waggons of all artillery has been reduced, it being thought that in time of profound peace there was no necessity for keeping up so many drivers and horses. The total reduction will result in a saving of £39,500. I ought to have said that by concentrating the artillery depôts at Woolwich we have reduced entirely the depôts at Sheerness and Warley. In the Engineer train there is a reduction of fifty men and 100 horses, making a saving of £1,500. My right hon. Friend who preceded me in Office left, in course of progress, an arrangement by which the troop formation in cavalry regiments was to be converted into the squadron formation, and since I succeeded him that arrangement has been carried into effect, and the result appears in the Estimates. Accompanying that change — which is the formation of cavalry in every country in the world, and which is considered to be a great improvement, not only in point of economy but efficiency—sixty-eight officers have been reduced, as well as 557 men and 385 horses, making a saving of £19,828. In the infantry the saving will be £156,600. In the colonial forces, including the West India Regiment of which I have spoken, there will be an aggregate saving of £39,700, and in the depôt battalions of £10,200. Having spoken of the regiments, I now proceed to deal with the Staff. Of the savings in the Staff some will be immediate and some prospective, and the principle by which we have been guided in effecting them is this—Where the duty has ceased the reduction has been immediate, but where it was proposed to discharge the duty in future in a more economical manner, and the time at which the Staff officer's period of service was about to expire was not very distant, we have made it prospective. The whole saving, consequent on immediate reduction, and which appears on the present Estimate, is £6,759; that on prospective, to which I shall refer by-and-by, £7,000. Then there is another change, about which I have heard a good deal, which we propose should be made. There are in the regiments of Guards, not only a general in command of the whole brigade, but also a lieutenant colonel who does not command a battalion, but who is, as far as I can understand the matter, at the head of a brigade within a brigade, and is lieutenant colonel of the regiment. We have deemed it necessary to make some reduction in that respect. We do not propose that the separate command of lieutenant colonel of a regiment should be continued, but that a lieutenant colonel in the Guards should command his own battalion. To return, however, to the Staff, the immediate reductions are in Canada, the Cape, one brigade at Malta, and a major general in the West Indies. Prospectively, we propose a new arrangement as to the brigades at Aldershot, by which a more rapid succession will be secured and more officers trained for the command of a brigade. We propose a reduction among the Engineers in Ireland in the recruiting staff; but with regard to the more important point—the command of the forces in Ireland—I have to state that that command under Lord Strathnairn will terminate in the course of the next year. It used to be the custom formerly that the command in Dublin and the command of the forces in Ireland were held by the lieutenant general commanding the troops, and it appears to us that, on the termination of Lord Strathnairn's tenure of office it would be desirable that the command which he holds should cease, and that the lieutenant general commanding in Dublin should command the forces in Ireland. The cavalry are at present inspected by an Inspector General of Cavalry. That seems to us to be an unnecessary and expensive arrangement, and we think that the officer who commands the cavalry at Aldershot might with great advantage and economy inspect the cavalry throughout the whole island, and that the officer who commands the cavalry at the Curragh might inspect the cavalry in Ireland. We also think that musketry drill has become so completely a part of the general service of the army that it will not in future be necessary to appoint inspectors of musketry. The great object of those who look to the defence of the country and to improvements in military organization has always been frustrated by the consideration how very large a portion of the time of the British soldier is spent either in some foreign climate or at sea, and how little of home service you are able to give him in proportion to his time abroad. It has been of late years very difficult to give a man even four years at home to twelve abroad. But I think we shall by the distribution which I now propose have made a great step in advance in this most important direction. If you have—I think it will be, 92,000 men at home to 96,000 in India or the colonies—you will have made at least some advance towards that which has always been considered a great object by those who have the welfare of the soldier and the defence of the country at heart—namely, to give him, if possible, half of his time at home. I wish to speak with becoming diffidence upon matters which, of course, are new to me; but I cannot allude to the subject of Army Reform without saying that I have always felt a very strong disposition to favour a system of much shorter enlistments than now exists. I do not desire to speak presumptuously, but I shall be very sorry—as I become more acquainted with the subject, and have time to go more into details—if I find that there is no power of accomplishing the great object of introducing shorter enlistments. At any rate, some changes have been made which I think the Committee will be disposed to regard as improvements. The authorities of the Horse Guards have made some excellent rules within the last few months in regard to recruiting. The recruiters have been told not to take up strollers, not to take people about whose antecedents they know nothing, not to take men who—if it cannot be said that they were enlisted by force, as in countries where conscription prevails—may be said to be made a portion of the British Army by fraud. For the time, at least, the escort of recruits has been entirely discontinued. They have been sent from their homes to the regiment with a railway ticket given to themselves, without a sergeant or any escort, and the result hitherto has been signally satisfactory. The number of persons who have failed to present themselves to the regiment has been wonderfully small, the mere pecuniary saving has been considerable, but in its moral consequences this proceeding has been of far greater importance than any pecuniary saving can be. We have also laid down rules that men who have once left the service shall not have the right to re-engage. If they choose to re-engage during their first period of service, well and good; but if, at the expiration of that first period, they choose to leave the army, their right to re-enter for a further period of service shall lapse, and the system of bounties, compensations, and allowances to induce them to enter is put an end to. These, I think, though not very great changes, are important as indicating a disposition towards shorter enlistments; and ~~when we see that the~~ pension list amounts to a very considerable sum above £1,000,000—I think about £1,500,000—and that it increases without control, we may hope that in this system of shorter enlistments may be found a solution of some of the economical difficulties which surround us. I have spoken hitherto of the army alone; but there is another branch of the subject which is not less interesting—which in some respects is even of greater interest—than the army. I speak of the reserves. It is a great problem in a country which has no conscription how you are to maintain an army of moderate strength in time of peace, and capable of expansion in time of war. Before I proceed to deal with the reserves, I think I may be permitted to lay down the following propositions—namely, that the army of a country, circumstanced as this is, ought to be, as regards both men and *matériel* in time of peace, comparatively small; that its efficiency should be the highest possible; that it should be in a form capable of easy expansion; that, as regards its *matériel*, this should be of the highest quality and the greatest efficiency, and with this object it should not be allowed to accumulate in proportions so large as to be likely to become obsolete, to wear out, or to be the worse for keeping. Having laid down these principles, I should say that, in compliance with them, we have kept all the battalions entire, and have brought a considerable number of them home. How then can we effect the great object I have mentioned? How can we fill up our battalions when the emergency arises, and how can we maintain reserves efficient in themselves and able to second and support the army? I am sure every one will agree that the first body to which we turn in answering this question is the old constitutional force of England—the Militia. The well-known sneer of Dryden might be applicable in his time; but Dryden, I fear, was ready to turn his pen to any political purpose, and it may be that the object of the Court when he wrote those well-known lines was to raise not a Militia but a standing army. The Militia has ever been a force dear to the people of England from its constitutional antecedents, and I believe that in its efficiency the people of England will always take the greatest interest and pride. On the last occasion when the great Duke of Wellington addressed the House of Lords he spoke, in terms which I hope will ever be remembered, of the services which the Militia had rendered to him in the great struggle of our country's liberties. If I may be permitted to repeat an anecdote to the Committee—I once had the honour of sitting at the Curragh next to a soldier second only to the Duke of Wellington—the late Lord Seaton—who said, as the regiment of Lord Hatherton passed by—"That regiment is fit to stand by any regiment of the Line." I hope the Militia will always be regarded as the great support and reserve of the standing army. My right hon. Friend (Sir John Pakington), I think, last year read to the House a letter from Major General Sir John Garvock, in which, speaking of the forces in the district he commanded, he said that they consisted of about 7,000 regulars, but that there were within his district the following forces, to the maintenance of all of which Parliament contributed, but with none of which the General commanding the district had any communication at all:—Yeomanry, 8,000; Militia, 25,000; Volunteers, 53,000; making a force of 86,000 men. That is a state of things to which I think my right hon. Friend did well to call attention. We intend to bring it under the notice of the House in a more formal manner, and I trust that Parliament and the country will determine to put an end to it. With regard to the reserve Votes, the Estimate is very nearly *in equilibrio*, but there is on the whole a small excess. The sum of £34,000 is saved upon the Militia Vote, and that arises entirely from two causes. Last year money was taken for training the Irish Militia. They were not trained nor do we intend to train them this year, but we ask for the necessary Vote for enrolling this force in order that it may be ready for training next year. The principal saving is £48,000 upon the clothing, a much larger quantity being procured last year and the requirements of the force this year being very small. As to the saving which arises through not training the Irish Militia, it is absorbed, because we train in England and Scotland nearly the same number of men as were estimated for last year when Ireland was included. Last year the number was 86,000; this year it is 83,000, and as we have to pay for enrolling an additional number in Ireland, the saving becomes exceedingly small. With regard to the Militia, Her Majesty's Government have not the slightest intention of in any way altering the constitution of that force. They have not the smallest intention of in any way depriving it of its local character, and of its connection with the county. Least of all have they the smallest intention of endeavouring to withdraw from the Lord Lieutenant of the county any patronage, if there be any, in regard to the appointment of the officers in order to vest it in the Secretary of State. But these things we think

Parliament will be desirous to do, and we ought to propose. We think that there ought to be a relation between the regular army and the Volunteer forces for special purposes, and of a limited kind, but in such a manner that the country may feel that the whole strength of its force is welded and consolidated together, and that any enemy who should venture to assail us would find that all our forces were applied with the greatest advantage to resist and repel invasion. Then, we think we have a right to say that the conditions under which the officers are chosen shall be those which shall insure a greater amount of military qualification in the officers selected. It may seem a small matter—and I only say it in passing—but we think that, as we have repealed the property qualification for Members of Parliament, we might as well proceed to abolish the property qualification for officers of the Militia. We have entered the sum of £20,000 in the Estimates for the purpose of improving the position of the officers of Militia. There is, as is well known, a disinclination to join the Militia regiments, and I must say I am surprised at some of the inducements which this great country offers to gentlemen to become officers of Militia. When I found a personal allowance of 1*s.* a day for officers of the Militia, I own it seemed to me one of the greatest curiosities that had come to my knowledge in the course of my official inquiries. We propose to add the sum of £20,000 to equalize the Militia with the army pay during the period of training, and to raise the personal allowance from the ridiculous sum of 1*s.* to the very moderate amount of 4*s.* a day. We also propose to pay the quartermasters some little addition, and to aid the movement of the Militia in order that they may join the regular troops and be more frequently brigaded together. I have spoken of the officers. I am happy to say there is no difficulty in obtaining men, and the present Estimate is framed on that hypothesis, and that in England and Scotland the number shall be raised to its maximum, which is, as we know, 90,000 men for the two countries. We make only one limitation. Some regiments have run to excessive numbers, beyond what are considered to be convenient for the commanding officer to handle, and we propose that no regiment should be allowed to recruit if its number exceeds 960 men. With that limitation we propose to raise the Militia to its maximum, and making the necessary allowance for absentees, and with the limitation of which I have spoken, we take the Estimate at 83,000 men for the present year. I now come to speak of the Yeomanry. An hon. Friend of mine opposite (Mr. Neville-Grenville) asked me early in the Session whether we intended to call out the Yeomanry. I thought that was indicative of a little distrust on his part whether we intended to call them out or not; and it does fall within my knowledge that there are competent authorities who do not attach very great importance to the Yeomanry in its present state. I hope they are mistaken; but, at all events, all I shall say is this—that at a period when Her Majesty's Government are most desirous to encourage the reserves, and to try whether they cannot be brought into a more efficient state and act with complete harmony with the regular forces, we should be exceedingly sorry to discourage any branch of the reserve, and therefore we have not proposed not to call out the Yeomanry. In concert with His Royal Highness the Field Marshal Commanding-in-Chief, on the part of the regular forces, and with a friend of ours whose name I am sure will always be acceptable in this House—General Lindsay, the Inspector General of the Reserve Forces — I am engaged in making arrangements which may tend to the efficiency of the reserves, and to their better combination, as I said before, at fixed times and for special purposes, with the regular troops. Of course, the Yeomanry will not escape the critical attention of the Government, and I will only hope that it will answer to the requirements made upon it, and that we shall never find that it is undesirable to call out that ancient and most respectable force, the Yeomanry, but that we shall be able to place it in a state of efficient relation with the other reserve forces. I come now, Sir, to the Volunteers. They are a very powerful body, for whom I, for one, entertain the highest possible esteem and respect. I think they were never better described than in the pamphlet of my hon. Friend the Member for Devonshire (Colonel Acland), and I will just quote some words from the pamphlet which were used by a distinguished officer of the regular service. He speaks of the Volunteers "as a school of preparation for duties which are required of all British citizens, in the event of an invasion." I am happy to say that the Volunteers have increased in the past year from 155,216, to 170,500 efficients; and from 90,588 to 102,500 extra-efficients. I was not able to comply with the request made to me by my noble Friend opposite (Lord Elcho) and others, to increase the capitation grant to £1, and for this reason —that there are great differences in the requirements of the different forces; and it is quite evident to me, at least, that whatever we may be desirous to do in future, it is not well to do it by merely scattering broadcast an increase of the capitation grant. I venture to lay down the following rules among many others with regard to the Volunteers. I think it will be admitted that, although the most efficient Volunteers may be as efficient as any soldiers in the world, yet, before the Government can come to Parliament to propose an increase in the present grant, it will be absolutely necessary for them to require a much more efficient organization of the body, and, among other things, to lay down these rules—first, that there shall not be in any locality more separate corps of Volunteers than that locality requires; secondly, that a greater proportion of those who receive the grant shall attain to the highest standard of efficiency; thirdly—and I attach great importance to this consideration—that officers and non-commissioned officers shall always be selected for their efficiency; and that neither social position nor any other recommendation shall compensate for the want of perfect efficiency in the officers; and, fourthly, I think myself entitled to say that, if Parliament is asked for an additional contribution for the Volunteers, it must be made not, as I have said, by sowing broadcast an addition to the capitation grant, but by adopting measures the direct tendency and necessary consequence of which shall be to contribute to increased efficiency. Now, Sir, we must look forward to an increase of expense for the Volunteers. The Committee may not be aware that the Estimates show that the expenditure already amounts to £509,330, and in that amount no allowance is made for the weapons which the Volunteers use. We must, however, expect a great change in those weapons, and expect to have to purchase new weapons, and with new weapons we shall have to furnish a much more expensive kind of ammunition. Therefore, our expense on account of the Volunteers will necessarily increase; and, in contemplating an increased expenditure, it will be absolutely necessary for those who are responsible to see that they secure also, if possible, increased efficiency. Then there are three other reserve forces. They all exist between the covers of an Act of Parliament; but as regards two of them, it must be admitted that their numbers are extremely small. The first army reserve consists of men in the first period of their engagement, and of young men, but that force is limited at present to 1,000 men; and in the present Estimate we only provide for 2,000. The second army reserve consists of older men of the regular army and of pensioners. The Estimates last year provided for 16,000 of the older men and pensioners, and this year the Estimate is for 22,000. Then there is a third reserve, which is called the Militia reserve, and as to that reserve I own I feel considerable difficulty. The theory of the Militia reserve is that, having got a man into the Militia by the payment of a bounty and allowances, you give him another bounty to make him an army man too. Now, I admit the great value of the first reserve and the Militia reserve in principle, because they are not, like the second reserve, available only for service at home, but are also available for service abroad. Demosthenes says it is the practice of a good boxer not to ward off the blow of his assailant, but to endeavour to return it seven-fold. It has always been held by officers of the navy that their place in time of war is not off our own coast, for the purpose of defence, but off the enemy's ports for the purpose of attack, and I freely admit that the great advantage of the Militia reserve, as well as of the first army reserve, is that they are liable for foreign service, and may carry war into the enemy's country. I feel, however, the greatest difficulty about the Militia reserve, and for this reason—I have stated that having given a man one bounty to make him a Militia man, we give him another to make him an army man. It seems to me obvious that by giving a man two bounties, you cannot make him two men, and that if you write him on the strength of the army, you must write him off the strength of the Militia. Now, Sir, I want also to see the Militia itself a most effective force, competent, like that Militia of which the Duke of Wellington and Lord Seaton spoke, to take its place in time of war by the side of the regular army. I know that Militia officers of the greatest experience and capacity differ in opinion about the Militia reserve, and we shall endeavour to learn their opinions before we come to a positive decision. But I say to myself, if I were commanding a Militia regiment, and there were in it men who received a second bounty to leave me when an emergency arose, I should feel a hesitation in appointing them non-commissioned officers. I should take those who would remain with me. It seems to me reasonable to state the case as a dilemma. If these men were made non-commissioned officers of the Militia, then when carried away to join the army, the non-commissioned officers would disappear from the Militia, and they would join the army as privates, subject to a feeling of unpleasantness, which would not tend to promote their efficiency. If they were not made non-commissioned officers, but remained in the Militia as privates, they would be subject to a feeling of discouragement all the while they remained members of that force. I have made these remarks in order to elicit the opinions of those in the House who are more experienced than myself. I hold, at the present moment, the power of adopting either of these plans by taking in the Estimates the same sum for the Militia reserve that was taken last year—namely, £20,000—I am not, however, sorry to find that only £2,700 of it had been expended, and I am very glad that time for consideration will be given whether we shall apply this sum to increase the Militia reserve, or rather to increase the first army reserve, which might be done with great advantage by connecting it directly with the army, through the general officer of the district, and making it perform the part of the furlough men as in France. [Lord ELCHO asked, what was the number of the Militia reserve?] The present number of the Militia reserve is 2,700. Of course, there is no difficulty in raising the men. The result I will now state to the Committee. The total number of men we provide for to be at home on the present Estimates is as follows:—Last year there were of Regulars 87,505; this year there are 90,677. Of the Militia last year there were 67,600; this year there are 83,000. Of the Yeomanry I take the same number as last year, 13,700. The first army reserve last year was 1,006; this year I take it at 2,000. The second reserve and pensioners last year stood at 16,970; this year it is 21,870. The Volunteers last year were 155,216; this year they are 170,581, making a gross result last year of 341,997, and this year of 381,828. Now, Sir, the force of 92,000 men in this country, in 61 battalions, represents a far greater force than 92,000 in 46 battalions. If you have your battalions in good order, your *cadres* full, all your officers and men in a state of efficiency, if you have in every battalion 560 veterans, you would have no difficulty, if any emergency arose, and when the warlike spirit of this country had been evoked, in raising your 92,000 to 100,000. Your Militia, if you include the Irish Militia, already exceed 100,000; and I may remark that, although the Irish Militia is not to be called out for training this year, that is no reason why they should be left out of our calculation in reference to an emergency. I say, therefore, you may fairly regard this as representing a strength of certainly not less than 400,000 men. And, according to high military authorities, no force is more efficient than where you have a backbone of veterans with a slight admixture of young recruits within it. Thus you will have 100,000 Regulars, 100,000 Militia, 24,000 Reserves and Pensioners, and 184,000 Yeomanry and Volunteers, which in all make up a force of 408,000; and with such a force I venture to think this country may be considered perfectly safe both from attack and menace. But I do not think we ought to be content with less than that strong force, when I see before me, as I have at this moment, the Returns of the forces of the four other Great Powers of Europe, and remember that the force of not one of them is less than 1,000,000 of men. Now, Sir, if I have not exhausted the patience of the Committee with reference to the men, it is necessary I should say something on the subject of *matériel*. And first of all I must pay my tribute of praise to my right hon. Friend opposite (Sir John Pakington), for the change he has effected by the introduction of the control system into the supervision of the army. My predecessors in this Office have, I think, long seen the great necessity for a combined management, and a more efficient control over the demands for every kind of supply. Lord Herbert stated it in Sir James Graham's Committee, and so did Lord De Grey soon afterwards in a letter, which he addressed to the Treasury. General Peel appointed a Committee under Lord Strathnairn, and that Committee made a Report, which no doubt every Member has read; and finally, my right hon. Friend made, I think, a most happy selection when he placed at the head of the control system that distinguished officer, Sir Henry Storks, and associated with him General Balfour. The object sought to be attained was to combine under one surveillance the commissariat, the transport corps, the barracks, the hospitals, and the military stores; this arrangement having been recommended by Lord Strathnairn's Committee. I quite agree with my right hon. Friend as to all the results so far as they have gone. But my right hon. Friend opposite did not limit his action to the points recommended in the Report of that Committee, and when I came into Office I found that the munitions of war, the Tower, and the manufacturing establishments at Woolwich, were placed under the management and oversight of Sir Henry Storks. I approve of that arrangement, and just before the right hon. Gentleman left Office he took the step, in which I entirely concur, of putting an end to the Ordnance Select Committee. Its objects were too varied, and its responsibility too vague and confused; it was expensive, and led to difficulties of various kinds with inventors, to which it was necessary to put an end. But in sending the Director General of Ordnance to reside at Woolwich my right hon. Friend took a step which I cannot approve of. I have not been able to collect from the correspondence what the functions were which that gentleman had to perform at Woolwich, and after giving the subject my best consideration, I have agreed to suspend the arrangement, and to declare that it is not necessary that the Director General of Ordnance should reside at Woolwich. The truth is, that though there is no patent right against the Crown, yet so many claims have arisen for all sorts of inventions, and we have had, as I think, so little responsibility in the way in which these inventions have been brought before us, that I felt it to be one of my earliest duties to put an insuperable obstacle in the way of all vague claims, and take care that no such claims should be made except under specified directions and for specified objects. It seems to me that no claim should be allowed until it has been submitted to Parliament and voted by Parliament; and our intention is, that there should be, not at Woolwich, but at the War Office, a Council, at the head of which should be my noble Friend the Under Secretary for War (Lord Northbrook); my hon. and gallant Friend the Member for Truro (Captain Vivian) will be a Member of it; the Controller-in-Chief will be a Member, as also the Director General of Ordnance, the Inspector General of Artillery and Engineers, along with officers representing both the Navy and the office of the Secretary of State for India. This Council will investigate every claim before it is submitted to me, and it will not only be approved by the Secretary of State and the Treasury, but submitted to Parliament and voted by the House before there is any claim on the public. Under Sir Henry Storks' direction the work of control has already made very great progress. The result of this does not appear in the form of the Estimates you are now about to consider, as it has necessarily been a matter of gradual progress, and the old arrangements could not be interrupted until the new arrangements should be ready to replace them, though by next year the system will no doubt have acquired completeness. At the present moment the control system extends to Ireland, Gibraltar, Aldershot, the Cape, the Straits' Settlements, Nova Scotia, Newfoundland, Bermuda, Barbadoes, Grenada, and Australia, and in a short time it will be still further extended throughout Great Britain and to all our colonial stations. I have before me a statement which shows that a considerable saving will be established in this respect, and arrangements are besides being made at the Admiralty by which a double expense in stations common to both the War and Navy Departments — Malta for instance — will be avoided. The Admiralty will take the charge of some of those stations, and the same principle which is applied to the military Department, of combining under one control the different heads, will, I hope, be extended to the War and Admiralty Departments. The whole question of the munitions of war is, I think, at the present moment, one of the most difficult and one of the most interesting to which a civilian can possibly address himself. I am happy to be able to say that as regards the arms—whether the great guns or the small arms—I believe we have at this moment the best weapons that are possessed by any service in the world. I believe the Frazer gun and the Snider rifle are not surpassed in efficiency by any weapons held by any other military nation. But having said that I must inform the Committee that the Frazer gun is still the subject of crucial experiment; and that a Report has just been presented within the last few days, according to which it would appear that the Snider rifle must be superseded, and the Henry-Martini rifle adopted in its stead. Then there is that most extraordinary Moncrieff gun-carriage, the operation of which I witnessed the other day, and will endeavour to describe to the Commitee. I and others were placed in what may be called a rifle pit for great guns, and the gun came down to us of its own accord. We then set it by means of reflectors, and soon after it was lifted up, *proprio vigore*, to the surface above, and was fired off, not limited by any embrasure, but having the sweep of the whole horizon. I do not know what an enemy would imagine if he happened to encounter such an instrument of destruction, but probably he might think that his opponents had subject to their control those central fires which occupy the middle of the earth, or that some infernal spirit had risen from below to fire off weapons in the upper air. I have included in these Estimates a reward for the inventor of that gun-carriage, and I shall submit it with great confidence for your approval, for I think that the economy it is likely to lead to will be deemed well worth the reward it is proposed to grant. Again, gunpowder is the subject of marvellous investigation. Science not only measures the speed of a projectile in the air, but accompanies the propelling force in its progress along the barrel, measures the intervals during which it is exerting its strength, and analyzes the explosive power into that portion which propels the projectile in a direct line, and that part which operates at right angles to the course of the projectile, and tends to burst the barrel. Thus science judges which powder it is most desirable to use and which to avoid. Gun-cotton, which a short time ago seemed almost excluded from the category of the materials to be employed in gunnery, has again come into notice as a competitor with gunpowder. Everything appears to be in a state of flux and progress, and Snider rifles, for example, must not be manufactured in large quantities, because of the appearance of a report from competent persons, who advise that that arm should be given up, and that the Henry-Martini rifle be substituted for it. That, however, cannot be done yet, as it will be necessary, first of all, to try the implement in actual service and in different climates. There is scarcely a branch of the great question connected with firearms which is not at present the subject of the most careful inquiry and critical investigation by scientific men. All these circumstances lead to this result—that we should confine our demands on the liberality of Parliament to wants which are immediate, and postpone everything that will bear postponement. We must take care not to be behind other nations in the race at any moment of time, while, at the same time, we adopt every means to secure the highest ultimate efficiency at the least expense. What we propose is, as regards the Snider rifle, of which we have a sufficient store to keep up the supply for the present year, to add only a small fresh supply; and that a few of the Henry-Martini rifles should be got ready to be tried in actual service in this country, and in the heat of India and the cold of Canada. I have desired also that a small supply should be provided in time to be tested at the next Wimbledon meeting, where experienced riflemen will judge of their merits. Under these circumstances, I shall take but a small Vote for the supply of rifles during the present year. As regards iron ordnance, I find that guns are supplied to meet all the immediate demands of the land service; but there is a want of great guns for our fortifications for sea-defence, and consequently all the money we spend on guns will be spent almost entirely, if not exclusively, on the great guns I have just alluded to. As to powder we have large accumulated supplies. In 1828 the stock amounted to 279,602 barrels, in 1829 it was fixed by the Duke of Wellington's Government at 198,000 barrels; in 1848 to 161,000 barrels, and in 1868 to 340,272 barrels. The annual consumption for all services is 36,000 barrels, and Waltham Abbey and the trade could manufacture twice that quantity. There is one kind of powder with respect to which especial investigations are being carried on. I allude to the Pellet powder, which, it is said, is much less calculated to burst the guns than other kinds of powder. I may say that, last autumn, several million rounds of ammunition were broken up because it had become impaired by keeping, or had been superseded by improvements. Therefore I propose to limit our claim upon Parliament in respect of *matériel* to those matters which are really needed, and to wants which ought to be immediately supplied. Among these we shall consider the 12-ton gun, if the crucial experiment shall succeed, as we believe it will, and as many Moncrieff gun-carriages for 12-ton and 7-ton guns as the carriage manufactory can supply. We have not yet absolutely ascertained that the Moncrieff carriage will carry the 12-ton gun; but there can hardly be any doubt upon the subject. I am speaking only of the land service, and not of the guns to be manufactured for the Navy; and we do not propose to make anything larger than the 12-ton gun for the sea-defences of the land service in the present year. Up to the present time very little change has occurred in the number of men employed at the factory. What little change there has been is rather in the way of increase than diminution, because it was necessary to make some new ammunition; but there must be a reduction according to these Estimates in the course of the year. In regard to the works, there has been a diminution. The question of the fortifications building under the Loan Acts was referred by my right hon. Friend opposite to a Committee, of which Sir Frederick Grey was Chairman, and it is about to present its Report. I have not seen the Report, but I think I know enough to say it is not likely to disappoint the House. With regard to barracks, military hygiene is a science which has made great progress of late years, and among other results it has increased the amount of space required for the accommodation of soldiers from 450 to 600 cubic feet. The Admiralty have given notice that in the autumn of this year they will place at our disposal considerable barracks at Woolwich, and the works of fortification which are in course of construction will also furnish the means of accommodating a considerable number of men. It is a very serious thing to undertake expenditure upon barracks with the present requirements, and therefore I intend to examine the whole subject in the course of the year. At present I ask in the Estimates only for a small sum to commence a barrack at Glasgow, which is very much wanted, and for which, my right hon. Friend opposite provided the site in the Estimates of last year. I must now pass as rapidly as possible over the remaining portion of my statement. In connection with fortifications, and in the race between attack and defence, I am happy to say that an advantage has been lately gained by defence through the great improvements that have been made in what are called torpedoes, which appear to afford a security to our mercantile harbours that has not hitherto been attained, and which are more easily applied to defence than to attack. In the Medical Staff there is not so great a diminution as would probably appear to most observers to be called for by the general diminution of the force. There is a diminution of twenty-five medical Staff officers and twelve regimental officers. The reason is this. We were very desirous not to place upon half-pay young and very efficient medical officers who, having passed their examination at Netley, would have been placed upon half-pay if we had made an immediate reduction. The course we have taken has been to keep them on duty, and to give older men returning from long residence abroad the opportunity of passing through the course at Netley, instead of the pupils, who will be prevented going there by our diminished requirements. The result of that will be a very great advantage to the army obtained at a comparatively small cost, for the supernumeraries will be rapidly absorbed. The subject of military education is one not to be passed over without notice. My right hon. Friend opposite appointed a Commission on Education, of which my noble Friend (Earl De Grey) was the head. When the noble Lord accepted his present Office I had the good fortune to secure the services of Lord Dufferin as Chairman of the Commission, in which other changes have been made. I would only say that, as we are introducing scientific appliances in every branch of the service, it becomes more and more necessary that the men should be educated and the officers also, and it is impossible to attach too great importance to the investigation of the Commission. The Commission on Military Prisons has already presented a Report, and will soon make another and final Report. They have recommended the building of a central prison, so as to avoid imprisonment with the regiments, and they propose to introduce punishment of drunkenness by fines. We have paid attention to the latter recommendation in preparing the Mutiny Bill; but on discussing the prison question with Colonel Henderson the Inspector of Prisons, we found that until we had the complete Report of the Commission we could not arrive at any definite plan, nor submit an Estimate with confidence. Probably later in the Session, when the House has had time to consider the whole Report, we shall make a proposal for carrying out the recommendation. Hitherto, as the Committee are aware, the Indian arrangements have been conducted on the principle of the British Exchequer being reimbursed by a capitation grant on the number of men serving in India; but the plan has not been very satisfactory. I am afraid the depôts have been very costly, and the numbers of men at them has frequently exceeded the Estimate. When the additional 2*d.* was given to the army, no account appears to have been taken of it in the transactions between the Indian and the British Exchequer; nor, on the other hand was any account taken of the advantage to the British Exchequer gained by adopting the overland transit. If there was a gain to the Indian Exchequer in the earlier years, there has lately been a very considerable loss to it, amounting, for the last year, to £150,000; and the Committee will conclude that I shall take immediate steps to remedy this state of things. I thank the Committee for having listened to me with so much patience. There is only another subject to which I will allude. My noble Friend opposite (Lord Elcho) has given notice of his purpose to call attention to the degree to which civil preferment is given in foreign countries to men who have served in the army, amounting in France and Prussia to 8,000 civil places in the year. I do not see my way at present to any such magnificence; but I sympathize entirely with the object of my noble Friend, and, to a certain limited extent, I have carried it into effect. With regard to the War Department and the Horse Guards, the first step I took on receiving the Seals of Office was to direct my attention to the state of the relations which subsisted between the financial and the other branches of the War Department; and I thought, as it was a matter in which the Treasury was interested, as well as the War Department, that the best course I could take was to ask my noble Friend (Lord Northbrook), my right hon. Friend the Third Lord of the Treasury (Mr. Stansfeld), and Mr. Anderson, whose great experience and value in matters of this kind is well known, to look into the subject of the financial control. I purposely omitted from the Committee a single military officer, on account of the jealousy which has been expressed of the military element in the War Department; for I was determined that when their Report was presented to me there should be no pretence for saying that there was in it any bias derived from the military element. When the Committee has solved the question of financial control, they will next proceed to assist me in solving what is scarcely less difficult—as my right hon. Friend will bear witness—the task of defining and separating in our great manufacturing establishments that which savours of economy and skill in manufacture, and that which savours of science and professional knowledge. It was the opinion of the Committee, presided over by Lord Strathnairn, that the several manufacturing establishments should be placed under the charge of skilled professional men, in order that the highest efficiency and economy might be secured, while, as I have said, the present arrangements place those establishments under the direction of the control department. A third task I have intrusted to them is to overlook the whole establishment of the War Department, and H. R. H. the Field-Marshal Commanding-in-Chief has requested that they will extend their inquiry to the Horse Guards. My hon. Friend the Member for Brighton (Mr. White), at an earlier period of the evening, complained of the largeness of those establishments. If I may borrow a phrase from another subject, I would say that if I can disendow with due regard to existing interests I shall be very glad to do so. I want to have in the higher branches of the service the greatest ability, the best quality, but not the largest quantity; and in the other branches, the purely mechanical parts, I shall be glad if I can make myself useful in contributing to find comfortable places for those who as soldiers have done good service for the country. I must apologize to the Committee for the length of my statement. I have endeavoured to convey to them what I thought they would wish to know with all the brevity I could master; and, in conclusion, I commend to their indulgence, Estimates which I do not doubt contain many imperfections. I was called upon to give the principal decisions which have guided their preparation within the first fortnight after my accession of Office, and they were in the hands of the printers within the first two months. All I can say is, that, while they have been founded upon a desire to promote economy, they have been founded upon a still stronger and deeper determination that nothing should be allowed to injure the efficiency of the service, or the interests of the country. I commend them to your indulgent consideration, in the firm belief that they are perfectly consistent with increased security of defence, and with the improved organization of all our military resources. The right hon. Gentleman concluded by moving that the number of Land Forces should be fixed at 127,366 men, together with 1,760 Native Indian Troops.

Sir JOHN PAKINGTON: It is with pleasure I find myself able to commence the few observations I have to make by congratulating my right hon. Friend on the very clear and able manner in which he has made his statement, which I am bound to admit is of a very satisfactory character in many respects. And while I acknowledge the ability and the clearness of that statement, I am bound also to acknowledge the fairness and candour with which my right hon. Friend put his case before the Committee. My right hon. Friend commenced his statement by referring to the amount of reduction in the Army Estimates of this year as compared with those of last year. He stated that the amount of the reduction was £1,225,000. Now the first observation I should have been inclined to make on that statement has reference to the item of £136,000 for the pay of Indian officers on furlough, which has been taken out of these Estimates and charged in another manner, so that it will not come into the Exchequer; but I am saved from that by the perfect candour with which my right hon. Friend admitted that this item at all events will take so much from the ostensible reduction. According to my calculation the reduction after striking out this £136,000 will be £1,089,000. But there is a sum of £12,000, a saving alluded to by my right hon. Friend as having been made in Western Australia, and there was another item, the particulars of which I did not very well understand.

Mr. CARDWELL: The first of these two items is £20,000, not £12,000; the second is the value of land purchased two years ago at North Woolwich, but which is not wanted now.

Sir JOHN PAKINGTON: Well, then, the reduction would stand finally at £1,196,000. My right hon. Friend, speaking broadly, divided the reduction into two parts. One of these he spoke of as being attributable to the reduction in the number of the army; the other he attributed to economy arising from the introduction of the control system. My Estimate is that the saving which has resulted from the control system amounts to £535,000. [Mr. Cardwell: I calculate it at £549,000.] Then my right hon. Friend must give me credit for not having desired to exaggerate the result of that Estimate. I was cautious in the Estimate I made, because the saving effected by a considerable reduction in the army is spread over so many items of expenditure. But deducting £535,000 from £1,196,000 that leaves £661,000, which is the real difference obtained by the Estimates of the present Government, and to be attributed to the reduction of the army. It is to the reduction of the numbers of the army I wish, in the first instance, to address myself. The reduction in the number of men in the army is, in round numbers, 11,000; and it is a question of very grave national policy whether the Government are or are not justified in reducing our military strength to the extent of 11,000 men. But this admission I am bound to make—that if the Government thought it right to reduce the army to the extent of 11,000 men they have done it in the best manner. I very much doubt that so large a reduction is advisable; but what the right hon. Gentleman said in the first part of his speech is quite true. If the Government had looked only to a reduction of the Estimates they might have reduced the army by battalions; but they have pursued a course which is much more wise and patriotic, that whilst reducing the number of men they have retained the *cadres* of the regiments untouched, so that they have the skeletons of the regiments, and in any emergency have only to raise the number of men to revert at once to their previous strength. This does not, however, touch the question whether the Government are justified in reducing our military strength from 136,000 to 125,000 men. I might say, that having regard to the extent of our Empire and to that consideration which my right hon. Friend did not omit — namely, the military strength of other nations at the present moment — in my opinion a force of 136,000 men is not an overgrown standing army for this country. I will not say that if I had remained in Office I might not have thought it possible to make some reduction; and the reduction to which I am disposed to take least exception is that which my right hon. Friend is able to make by the diminution of our forces in Canada. While I readily admit that, under existing circumstances, the force in Canada was fairly open to reduction, yet I confess that I think that the present Government have carried that reduction rather beyond the point at which I should have been disposed to place it. The right hon. Gentleman referred to the proposal of the late Government upon this very subject; but what was that proposal? In the course of the last year we did recall a considerable number of our troops in Canada, and with a view to the coming Estimates we determined to withdraw more; but what was the principle which we had determined should regulate our proposed changes? That we should leave the military strength of England in Canada up to the point at which it had stood before the great increase which occurred some years ago in consequence of the *Trent* affair. We thought that a very fair criterion of the strength at which our army in Canada ought to stand. My right hon. Friend proposes to recall I forget how many regiments, but certainly a considerable number of battalions from our Eastern colonies. One battalion is to come from Australia, one from the Strait Settlement at Ceylon, and one from Hong Kong. There is indeed a very considerable reduction of our strength in that quarter of the world, and I do not feel disposed to concur in the course that the Government have taken. Looking to the nature of the service in those countries; looking to the climates that our troops have to operate in; looking to the uncertain nature of their duties and to the sudden calls that are made upon their strength in those distant parts of the world, I must say that I think that I trace in the recall of these battalions rather an undue disposition to obey a public cry for economy at any price. I doubt whether the Government is justified in this part of their proposal. The right hon. Gentleman gave no explanation why the battalions that are still to remain in the colonies should be reduced by eighty men. I am not aware of any reason for the proposed change. It seems to me to be a mere arbitrary reduction of men; and I venture to say the same thing with regard to the reduction of forty men per battalion at home. My right hon. Friend referred to the very high authority of the French Marshal M'Mahon, who expressed an opinion that, provided your *cadre* is complete, 500 men are enough for a battalion. But I cannot help thinking that 600 men form a very weak battalion, and I believe the Government might have exercised a better discretion if they had left our battalions at home at their strength of 600 men, so that the army would have been reduced to a less amount than is now proposed. I admit, however, that the extent to which the reduction in the army should be carried is a matter of national policy, upon which the Executive ought to be the best judges, seeing that it is in some respects also a colonial question. But I cannot help stating that, according to the opinion I have been able to form, these reductions have been carried to an injudicious extent. I have always doubted the wisdom of the system under which our regiments are sent out to the colonies of one strength, and are maintained at home of another strength. I have always thought that the British regiment should be a British regiment, whether at home or abroad. If such were the case, the great hardships which occasionally fall upon the Line regiments on their return to England by the reduction of their strength by two companies would be prevented. In consequence of the reductions proposed to be made by the Government there will be an unusual number of those double companies to be disposed of, and the result is that the Estimates show a considerable number of officers to be provided for. The right hon. Gentleman has not touched upon the subject; but I hope these officers may be gradually disposed of by absorption. Having made these observations with regard to the first part of the reduction, I would venture to refer to that half of the reduction which arises from the adoption of the control system. I think that great credit is due to the exertions, of which no doubt the right hon. Gentleman is aware, of Sir Henry Storks and General Balfour—for their great and incessant labours from the time they were intrusted by the late Government with their important and difficult duties. I confess that, with regard to Sir Henry Storks, my only fear has been lest, from the extent to which he has devoted himself to his difficult work, he should break down under the labour imposed upon him. The result has justified the wisdom of the Committee in recommending these changes, and does honour to the officers by whom the new system has been carried into effect. In consequence of the exertions of the control department, the Commissariat Estimate shows a saving of £8,000. One part of the arrangement of the control department has been to transfer the clothing department at Woolwich to Pimlico, thereby throwing two establishments into one, and I believe that a saving of £3,000 has thus been effected. There has also been a saving effected under the head of barracks of £3,900, of purveyors' offices of £4,600, of stores of £16,000, and in the purchase and manufacture of stores there is a reduction of expenditure to the amount of £500,000. The Committee must not, however, suppose that this is a sudden saving—that the expenditure has been reduced immediately from one amount to the other. Sir Henry Storks and General Balfour were appointed at the close of the year 1867, but the real action of the department did not commence until July last. Since that period, however, so successful has been the result of their action, that I believe that, at the close of the present financial year, there will be shown a saving in this department which I do not think I am over-estimating at £300,000. Nothing can be more fair than the spirit in which the right hon. Gentleman has referred to these reductions in the expenditure. For my own part, I believe that the saving resulting from the changes that have been effected will grow more and more important every year. I wish now to refer to the very interesting part of the right hon. Gentleman's speech which relates to our reserve, and I think that the Committee will naturally go with me when I say that the Government which has taken upon itself to reduce our military force by about 11,000 men is doubly bound to attend to the efficiency of our reserves. As the amount for standing force is reduced so do our reserves become more and more important. The outline of our present system of reserves, as the right hon. Gentleman is aware, was sketched by my immediate predecessor (General Peel); but on my succeeding him at the War Office it devolved upon me to propose it for acceptance to the House of Commons. In some few respects I departed from the intention of General Peel, and therefore I cannot say that he is altogether responsible for the present system under which our reserves are organized. Still, however, the main plan is that of General Peel's, although I did not adopt that portion of it which applied to the Militia. The right hon. Gentleman has expressed his doubts with regard to this portion of the plan, and I am aware that military men are divided in opinion upon its merits. The right hon. Gentleman said that, in the event of war, we should be diminishing our reserves by drawing away from the Militia a certain portion of the men who ought to constitute our reserves. That is true, as far as it goes; but then the right hon. Gentleman should recollect that the Militia force was increased in order to supply that loss, and that in time of war the loss could be rapidly and easily made up by recruiting at home. As far as I am answerable for this portion of the reserve, however, I shall be quite willing that it should be reconsidered, and I should be prepared to consider any plan upon the subject which the right hon. Gentleman may propose in reference to it. I did not clearly understand from the speech of the right hon. Gentleman however what are the changes which he proposes to make in the present system, except that he proposes to cut off from the reserve that portion which we hoped to be able to obtain from the Militia. He sketched out to us a numerical strength, composed of so many regiments of Militia, so many Yeomanry, so many Volunteers, so many Pensioners, and "there," he says, "is your reserve." I gather from his statement, however, that although he does not intend to increase the force numerically, he does intend to improve its organization.

MR. CARDWELL: What I intended to say was that I took the same Estimate for the Militia reserve which was taken last year; but I entertain great doubt whether it will not be more wise to expend that sum in adding a smaller number to the army of reserve than to pay them in their double capacity as both Militia and reserves.

SIR JOHN PAKINGTON: I did not think I had misunderstood my right hon. Friend. But in either view, I am sorry to say, he is dealing with a very small number. I do not understand that he proposes to add numerically to the strength of our reserve. All I understand him to imply is, that we have 100,000 Militia, 150,000 or 160,000 Volunteers, and a certain number of pensioners, but that they are not in connection with one another or with the regular army, and that we stand in need of better organization in that respect. Then my right hon. Friend spoke in terms with which I most cordially concur of the value of our Militia force. I beg to say distinctly that no man in the House appreciates at a higher value than I do the noble Volunteer force which has come into existence within the last few years. But one result—a temporary result—of the formation of that force has been that our old and admirable Militia has been rather less considered than it used to be. I was therefore well pleased to hear from a Minister in the position of my right hon. Friend the just and proper recognition which he made of the value of that service. I am also glad to hear that he has determined to improve the position of Militia officers, and to endeavour to make the service more attractive. As to the abolition of the property qualification, I believe that, practically, that will have very little effect, but the increase from 1*s*. a day to 4*s*. is, as far as it goes, substantial. Something undoubtedly was needed in the direction of improving their position, for there has been great difficulty of late in obtaining Militia officers. The system will, I hope, be continued and carried out as far as possible of letting Militia regiments go into quarters with troops of the Line at Aldershot and elsewhere; but I confess I do not like to hear of regiments going out without ensigns or lieutenants — mere skeletons, in fact, as far as officers are concerned. In one respect the statement of this evening disappointed me. During the time that I held the Office, in which I have been so worthily succeeded by my right hon. Friend, no consideration was more constantly pressed upon me—the justice of which I was obliged to admit —than that some improvement ought to be made in the position of quartermasters of Militia. He raised my hopes when he said he was going to do something for them; and what did it turn out to be? Why, that during the time the regiment was in quarters, the quartermasters were to have some modicum —I really do not know what it was— but something small during that limited period of the year. [An hon. MEMBER: A fortnight's pay.] Well, that is a very small matter. What occurred to me, and what I had resolved upon doing if the preparation of the Estimates had devolved upon me, was to give a retiring allowance to the quartermasters of Militia regiments. My right hon. Friend admits the existence of the evil, and I do not think it would be too late even now to make an arrangement of the nature I suggest, which would cost but a very few hundreds a year. A point which seemed to me doubtful in the statement was as to the recruiting of Militia regiments. My right hon. Friend proposed that these should be recruited to their full strength in the first instance; but hereafter, he added, no Militia regiment is to exceed 960 in number. The practical result of this proposal will be, I fear, materially to reduce the strength of the Militia. In my own county—the county of Worcester — the full quota is 1,400 men. Well, if my right hon. Friend intends to carry out the intention he has expressed, that regiment, instead of being kept up to 1,400, will be reduced to 960. I believe there are not a few Militia regiments over the country whose strength is above 1,000 each. According however to my right hon. Friend's proposal, their numerical strength will be less than it now is. There is another part of my right hon. Friend's statement in which I confess I felt a good deal of interest, and took some action in before I left Office—I mean the changes made in reference to the Ordnance Select Committee and the arsenal at Woolwich—I was glad to hear that my right hon. Friend approves the change I made by doing away with the Ordnance Select Committee. The views which he expressed on that subject were exactly those by which I was influenced; and, without the least intention to detract from the ability or the merits of Members of that Committee, I believe that its existence led to unnecessary expenditure, and that it was not a desirable institution to continue as it stood. I venture to think that a more limited Committee would be a more desirable tribunal. But the other point is one to which I attach much importance—namely, that of the Woolwich Arsenal. I do not know what his intentions are in respect to this establishment. I regard this matter of such importance that I should very much wish to hear his views upon it. If I rightly followed his statement, it only amounted to this—that in his opinion it was not desirable to throw on the Director General of Ordnance the responsibility of being at the head of the arsenal. That only touches the mode of carrying out a proposition which, in itself, I conceive to be of great importance. When first I went officially to visit that immense establishment at Woolwich, I saw that it was divided into four great departments, each intrusted with the expenditure annually of large sums of money. I took the trouble to inquire into these departments, and having asked who was at their head, I was greatly surprised to hear that there was no head there. I admit that there is a severe check over the expenditure of each of the departments; but, without throwing blame upon any individuals whatever, from what I have heard there does appear to be a want of economy, a tendency to overdo experiments, and a tendency also to throw away valuable stores which do not answer the requirements of the moment. This is a great question of principle. It may be that there are good reasons why the subordinate officers should be left free to act; but it does seem to me an anomaly. I never before heard of so great a national establishment without some officer at its head responsible for the manner in which it is conducted. I care not whether the Director General of Ordnance be placed at its head or not—that would be merely a mode of effecting the object. Put a civilian there, if you like; put a controller there, if you like—all I ask my right hon. Friend to state is whether he concurs with me in the matter of principle, to which I attach great importance. I had intended to touch upon the organization of the War Office; but I have no wish to detain the Committee much longer. Particular reasons, by which I was at the moment influenced, prevented me from completing those changes at the War Office which seemed to me desirable; but I communicated in writing to my right hon. Friend the points to which I considered it desirable that he should direct his attention. And I did hope that, by the time, it became his duty to propose the Army Estimates, he would be able to state what changes he contemplated, and the manner in which he proposed to make them. The changes which I contemplated were mainly in the finance branches of the War Office. I left the matter in what appeared to me to be an unsatisfactory state. My opinion was and is, that, under whatever title you like to give him, there ought to be in the War Office some one high officer at the head of the finance branch of that establishment. I understood my right hon. Friend to say that he is not yet in possession of the Report of the Committee which, under all the circumstances, he very judiciously appointed, and, under the circumstances, he probably will not wish to go further into that subject at present. But at a future period —probably when we reach Vote 18—he will be prepared to state what arrangements on this head he proposes to make. I must say that I regard with great doubt the wisdom of the appointment of the hon. and gallant Member for Truro (Captain Vivian) as the War Lord of the Treasury. My right hon. Friend, on a former evening when this subject was under discussion, said I had advised him that he would find it necessary to have some assistance in this House. That is perfectly true, and in the Memorandum which I wrote for my right hon. Friend, in the hope of giving him some assistance when I left the office, I did touch on this subject; I felt more perhaps than most of my predecessors the want of some assistance in the House of Commons. It was my misfortune to pass from the Admiralty to the War Office at a time when no such assistance was obtainable. At the Admiralty we had the Secretary, the Civil Lord, and two Naval Lords, all Members of this House, and who were ready to afford assistance to the First Lord, but not a single man was there connected with the War Office. Upon the smallest detail of Parliamentary Business connected with that Department, no matter how minute, I was obliged to come down and remain in my place. Therefore the advice which I gave my right hon. Friend was perfectly warranted by the state of affairs at that time. But the advice I tendered was, not that he should send a Junior Lord of the Treasury to encumber the already overcrowded War Office, but that the Under Secretary for War should be in the House of Commons. I am supported in that advice by the well-considered opinions of Sir James Graham and Mr. Sidney Herbert, both of whom expressed the opinion that it was necessary the Secretary for War should have assistance in the House of Commons, so as to enable the head of the Department to discharge more effectually the laborious duties of that office. I confess I am not convinced by the reasons assigned for the absence of the Under Secretary for War from this House. I do not see why there should not be five Under Secretaries in this House; but if there be any great constitutional reason against it, I venture to think the absent one should not be the Under Secretary for War. I trusted my right hon. Friend would have exerted his influence to get the Under Secretary for War in this House; but, instead of the Under Secretary, we have the War Lord (Captain Vivian). The unusual character of the whole arrangement induced me to ask a few questions upon the subject, and, knowing the crowded state of the War Office, I first inquired whether the War Lord had a room, and was told that he had. "Has he a private Secretary?"—"Yes, he has." "And what has he to do?" I asked—"Oh," was the answer, "that's the difficulty; he has nothing to do." And I am not quite sure whether my informant did not add "I believe he smokes." Now, I doubt the expediency of allowing an official who has nothing to do to have a private Secretary in an office where an immense amount of work has to be done, and where, as he has little or nothing to do himself, he would be too likely to impede the work of others. Perhaps my right hon. Friend will say the War Lord has no private Secretary, but that is a point requiring explanation; because I find by the Estimates that the Secretary for War, who has hitherto been allowed a private Secretary and an assistant private Secretary, is provided with two assistant Secretaries, and I am told out-of-doors that the reason for this is that he may have a private Secretary to spare to the War Lord. Now, is this a true version of the case? It is certain that the Estimates show a private Secretary that never appeared there before, and if the War Lord has nothing to do, I do not not see the need of an additional private Secretary. I repeat, I regret that the Under Secretary for War was not placed in the House of Commons. Now I come to another subject on which the Secretary of State has been silent, but upon which we heard a great deal last year. I refer to the plan of retiring in non-purchase corps prepared by the Committee over which the First Lord of the Admiralty (Mr. Childers) presided. I never denied the desirability of introducing some plan to prevent stagnation of promotion, and objected to that proposed only on the ground that it would be too expensive. My best attention was devoted to the subject when in Office, and I then hoped that if it should be my fortune to introduce the Estimates this year I should be enabled to propose some well-considered plan for retirement in the non-purchase corps, so as to augment promotion. My right hon. Friend has said nothing on this point. I should like to know whether my right hon. Friend has any definite plan under consideration—whether he proposes to adopt the plan recommended by the Committee over which the First Lord of the Admiralty presided, or any other plan for the retirement of the members of these corps? I will conclude, as I began, by expressing the satisfaction I feel at being able to approve so much the tone my right hon. Friend has taken.

Lord GARLIES said, he felt the disadvantage which, as a new Member, he laboured under in addressing the Committee, but he was sure that that indulgence, which was usually granted to young Members, would not be withheld from him. Having held a commission in the army, for a period of fourteen or fifteen years, he naturally felt a great attachment to the service, and must plead that circumstance as his apology if his remarks were somewhat critical. Having heard the statement of the right hon. Gentleman the Secretary of State for War (Mr. Cardwell), he confessed he could not quite understand how he proposed to effect the reduction of £1,196,000 in this year's Estimates over those of the previous year. The Secretary for War had stated that the Estimates for this year showed a gross reduction on those of last year of £1,196,000; the right hon. Baronet (Sir John Pakington) had set down the difference at £1,089,000; but, from his (Lord Garlies') own examination of the Estimates, he found the difference to be £1,096,000. There was evidently, therefore, a mistake of £100,000 on the part of some one, and probably the Secretary for War would account for it by referring to his former statement that there was a great difference between the actual and apparent state of things; but if the reason was to be found in the sale during the coming year of a piece of land in the possession of the War Office, he did not see how the Government could claim credit for saving £100,000. How was the reduction brought about? According to the Secretary for War the decrease was owing to the reduction in the number of men, and further to the adoption of the control system, though it was not explained how the control system had had that effect. However, the Estimates seemed to show that the reduction was due in the main to the decrease in the number of men; and to the decrease in war material; in the gun factories, in the Royal laboratory department, and in gun carriages. In the gun carriage department he found a reduction of £33,935, in the gun factories £52,854, and in the Royal laboratory, £258,416, making a total of £345,205. If this were added to the decrease of expenditure on the men whom it was now proposed to reduce, it would be found that the two items made up the whole of the reduction of the Estimates. He doubted whether Sir George Lewis ever stated as had been represented by the hon. Member for Brighton (Mr. White), that every soldier cost the country £100 on an average. What Sir George Lewis did say, probably, was that if the Army Estimates included 130,000 regulars, and that number was multiplied by 100 it would give the aggregate amount in pounds of the Army Estimates. It was equally true of the present and many previous years that if they multiplied the number of men for whom a Vote of money was taken by sixty-two and four-fifths, that would give the sum requisite in pounds, so, similarly, if they multiplied the number proposed to be reduced,—namely, 10,241 by sixty-two and four-fifths it would give the sum of £634,990. This year also there had been an item taken out of the first seven Votes, and transferred to Vote 13, which included barrack furniture. That Vote was the same this year as last—namely, £116,000, and if that were transferred back again and added to the sum he had already given, it would make £750,990, and if this sum were added to the amount he had given on the three departments of stores and war material, it would be found that the total sum came to within only £400 in saving over last year. Although, therefore, at the beginning there was an appearance of a saving of £1,250,000 on the Estimates, when they had deducted the actual cost of each man as in previous years, and added to that the actual lack of supply in war material, and the other item transferred of barrack furniture, these sums came to within £400 of the whole of these supposed reductions. The right hon. Gentleman ought to have reminded the Committee that they had been promised a greatly reduced expenditure combined with efficiency. Now, he could not think that the mere reduction of upwards of 10,000 men and a further reduction of war material could be considered as increased efficiency. He would first inquire into the cause of this reduced expenditure; next, the mode of carrying it into effect; then, its expediency as judged by results; and fourthly, the individual hardships it entailed. He trusted he should not be accused of party spirit, but it was matter of history that when the head of the present Government was trying to woo the constituency, for which he did not now sit, he started upon the great question of the day. It was not until near the month of November that he discovered the necessity of what was known to military men as "making a change of front in the face of the enemy," and not till then was the cry of increased economy heard. That, no doubt, was the first cause of the reduced army expenditure. As to the mode in which the reduction had been made, those who were present on Monday night, and heard the speech of the First Lord of the Admiralty on the introduction of the Navy Estimates must have thought it very curious that the reduction then proposed was planned on a totally different principle from that of the army. The First Lord of the Admiralty took considerable credit to himself (in which the Committee evidently concurred), for reducing the Navy Estimates without losing a single "blue-jacket," while the reduction of the Army Estimates was effected by reducing a large number of men. It might be supposed that the order for reduction came from the Treasury to both Departments on the same morning, that the Admiralty as the senior service claimed priority of choice as to the mode of reduction, and that one plan was to be tried in one service, and one in the other; or perhaps they had tossed up for it, and it had fallen to the luck of the First Lord to win, the result being that the right hon. Gentleman exclaimed, "I will keep the blue-jackets and sacrifice the clerks," while the Secretary of State for War said, "I will keep the clerks and down with the red tunics," and he was sorry to say the right hon. Gentleman took a few blue-jackets with them. The right hon. Gentleman's information seemed to him rather meagre in regard to the number of guns, gun carriages, and ammunition to be provided for. Nor did he tell the Committee whether the same amount would be expended in ammunition this year as usual, or whether there would be a saving in this item. The small arms were in a transition state, but he might ask the right hon. Gentleman, after he had supplied the whole of the Militia and the Volunteers with the present Snider, what number he would afterwards have in store, because he believed he was right in saying that no new rifles had been made during the last two or three years but muzzle-loaders only converted into Sniders. A large loan had been raised in 1860 for the construction of fortifications, and it was then understood that each year the Army Estimates should include an amount to mantle them with guns. About five-sixths of the fortifications had now been constructed, but one-sixth had not yet been mantled with guns. He asked what Estimate had been made for this purpose during the present year. Then, with regard to fortifications abroad, he believed an officer had been appointed by the Government of Lord Russell, in 1865, to examine into the condition of the fortifications at Malta and Gibraltar, and he wished to know if the right hon. Gentleman would lay the Report of that officer on the table. It was stated in the Estimates that a sum of £55,000 was still required for the works at Malta and £40,000 for Gibraltar. Why was there only £10,000 to be voted for the former and £15,000 for the latter? He was anxious to hear what the right hon. Gentleman had to say regarding the Army Reserve Fund. The balance of that fund, he understood, was to be transferred from the War Office to the Treasury on the 1st of January this year, and he hoped the right hon. Gentleman would be kind enough to inform the Committee what arrangement was intended in case any half-pay officer wished to compound for the sale of his commission. He now came to the decrease in the number of men. Earl Russell appointed a Commission, because it was found impossible to obtain recruits, and they reported that, as our superiority at sea was somewhat diminished, 600 men per battalion were hardly sufficient for our home establishments, and in order to induce men to come forward in time of emergency the rate of payment was increased 2*d.* per day; but he doubted, if the necessity arose, that the right hon. Gentleman would be able suddenly to raise his 90,000 men up to 100,000. In regard to the colonies and the way in which the withdrawal of troops affected them, he did not pretend to be competent to judge; but as regards the interests of the mother country, he altogether denied the expediency of denuding our colonies of troops. In the event of a sudden war, as in the case of the Indian Mutiny, the battalions in our colonies were far more available than if they had been at home. Our colonies hitherto had been considered a sort of outwork to this country as regards military service, from and to which troops might be detached at any moment's exigency. It appeared from the right hon. Gentleman's statement that there was to be a reserve force, though nothing was actually settled in regard to it. It would be much wiser, then, not to reduce the regiments brought home until the nucleus of a reserve force had been formed. Until they had a reserve force this country, after the withdrawal of troops from the colonies, he thought, was in danger. It was said that the reduction in the cavalry was owing to the adoption of the squadron organization. But as long as he could remember the British cavalry had been worked by squadrons, and all that was now proposed was to extend the organization which prevailed in the field into the barrack-yard. But was it to be expected that five officers per squadron could do the work of six on that account? He believed this reduction of cornets was a great mistake. Cavalry were sent out a troop here and a squadron there, and the effect of the reduction would be that a troop or detachment would be sometimes left in charge of a non-commissioned officer. Now, recent experience of Fenianism in Ireland had shown how unwise it would have been to leave a troop in charge of a non-commissioned officer. One word as to the hardship which would be entailed on many deserving young officers if the proposed reduction were carried out. There were two classes of interest to be regarded—one which he might call existing interests, and the other more remotely vested interests; or, in other words, those who had the honour of bearing Her Majesty's commission, and those who were in training for that honour. There were 150 officers in the infantry to be reduced, or absorbed as it was called, and eighty in the cavalry, including the household regiments. Here, then, were 230 officers to be thrown out of employment, after having chosen a profession in which they expected to remain, and not to be cashiered. They were told that their services would be no longer required, which was practically the same as cashiering them. Many of those officers had been through various vicissitudes of climate, they had never been over paid, and to be treated in the manner now proposed was a rather harsh and summary proceeding, to say the least of it. Those who remained after coming home from foreign climates, instead of having a little leisure, would have to do double duty. Now, he considered that a very great hardship. Then with regard to the cavalry. The officers got for pay what might be called a high rate of interest on the sum expended on their commissions. They had to buy their chargers, and pay for their uniforms, and were put under stoppages for their forage; and now many of them were to be told that they would not be wanted any longer. With regard to the household cavalry, the saving to the Treasury would be very small indeed. The value of the twelve commissions that were to be reduced in the three regiments was £14,480; and if any hon. Member made a calculation he would find that it was no very high rate of interest that would make up the pay that these cornets received. He could not see the necessity of doing away with the cornets in these three regiments, whose duties were very onerous. In conclusion, he would plead in the name of his thirty brother captains, in the name of 200 subalterns, in the name of twice 200, the parents of these subalterns—that was as regarded existing interests, but with respect to remotely vested interests, in the name of the lads and their parents whose name was legion — and beg of the right hon. Gentleman to re-consider the case of those unfortunate dying patients, to stay the pruning-knife, and to confer instead the gift of the sword.

MR. O'REILLY said, that never before, during the eight years he had the honour of a seat in that House, had he listened with pleasure to a statement of military Estimates; but he had done so that night because he believed that those which the right hon. Gentleman had brought forward displayed a tendency to well-considered economy, and proceeded on a principle which might be carried further. He confessed that he took but very little interest in the discussions bandied about from one side to the other as to which had been the most economical; because there was no principle involved in the reductions which had been made of late years, and he had ventured on one occasion, with the approbation of the House, to sum up what had been done in that way by saying that nothing had been reduced but the men, and they had reduced themselves by the great falling-off which had occurred in the recruiting. A statement had been made by the late Sir George Lewis, which had been accepted by General Peel, that when once the House had voted the number of men everything was settled, for that £100 per man represented a fixed quantity which would never vary. He warned the House, however, not to wrap itself in fancied security on that account, because the sum was rapidly rising, and in a few years £100 would not represent the cost per man. He wished to say a few words on the reduction of the number of men. It would probably be repeatedly said that they were diminishing the strength of England if they consented to diminish the number of men on the Estimates. Let him call attention for a moment to what had been the number of men borne on the Estimates at different times, and what had been the cost. In 1837 the number of men voted, in round figures, was 101,000, and the estimated expenditure £8,000,000. In 1857 the number of men was 126,000, and the estimated expenditure £13,000,000, or correctly £12,993,235. In 1861, when the Army Estimates rose to their greatest height, and when Mr. Sidney Herbert in movng them described them as "enormous," and as the largest ever proposed n time of peace, the number of men was 43,000, and the estimated expenditure £16,000,000. In 1865 the number of men was 142,000, and the estimated expenditure £14,000,000. In 1869 the number of men was 125,000, and the estimated gross sum £14,230,000. It would be said, "Think of the increased demand for troops caused by our extended possessions in India." Now, he always included in the gross total the European troops in India as well as at home. Our demand for troops might be divided under these three heads — The force required for the defence of the United Kingdom and the Channel Islands, the force required for the defence of the colonies, and the force required for the maintenance of our Indian possessions. The number of our troops under each of those heads had been largely increased of late years, and they might be safely reduced still further than the right hon. Gentleman proposed, without in the least trenching on the security of the Empire. He would take the case of the colonies first; and he wished to grapple with the doctrine that we were bound to maintain troops in our colonies, properly so called, for their defence. He was not now referring to places like Gibraltar, Malta, and other military posts. It was simply idle to think of keeping efficient garrisons in time of war in our colonies proper. The moment a great coalition of foreign Powers was formed against us, that our fleets were worsted on the seas, and we were threatened in our island-home, what would be the first thing to do?—why, to withdraw every battalion from the colonies. An hon. Gentleman had admitted that even at the threat of war we should withdraw our troops from the colonies. What was that but saying that we nursed the colonies in time of peace to rely upon us for their defence, and that our first act in time of war would be to recall our troops from them? Now, in 1823, after the termination of the Great War, 43,000 men were deemed sufficient for the home service, and about 26,000 for the colonies. What the number for India then was he had not been able to ascertain. In 1831 the number of men for the home service was 50,000; for the colonies, 42,000; and for India 31,000; making together a total of 123,000. In 1841 the total number of troops rose to 134,000; and in 1851 to 149,000. Within the next decade came the addition caused, no doubt, by the great Indian War; and in 1861 the total number of European troops drawn from this country for home and foreign service was over 222,000 men.

Of these 74,000 were for home service, 55,000 for the colonies, and 83,000 for India. In 1866 it was 212,000, and in the present Estimate, the total number for 1869-70 was 195,000 men. In 1831 they had for India 31,000; in 1841, 40,000; in 1851, 45,000; in 1861, 83,000; in 1866, about 70,000; and for 1869-70 the number was 63,000. The increased demands of India accounted for only one-half of the increase in our total force between 1831 and the present time. Then, with regard to the force for the colonies, in 1823 it was 26,000 men; in 1866 it was 55,478; and in 1869-70 the right hon. Gentleman proposed to reduce it to 35,000 men, and during all these years our colonies, excluding India, had not largely increased. Now, if the force for India and for the colonies had not been diminished — as he contended it had not been—below the requisite standard, let them look at the figures of the home force. In 1823 the number of men deemed sufficient for home defence was 43,000; in 1831 it was 50,000; in 1841, 55,000; in 1851, 64,000; in 1861, 74,000; in 1866, 87,000; and now, under the right hon. Gentleman's reduced Estimates, they would have in the United Kingdom 92,000; or more than double the number thought sufficient in 1823. The true principle for the distribution of our troops was to preserve a sufficient army in India; to preserve a sufficient garrison for our military stations abroad; to concentrate the troops who might be necessary for China and Japan in one place as far as possible; to concentrate our forces in the same way at the Cape and our other great colonial stations; and to maintain a large and effective force at home for the defence of the country, and the support of whatever part might be attacked. It had been formerly thought that the country could be more easily "humbugged" into voting a large force if the troops were kept out of sight in the colonies; but the same jealousy in regard to the regular army did not now exist in the public mind as formerly. He therefore rejoiced to see not only the present reduction of the Estimates, but the change proposed by the right hon. Gentleman in the distribution of our force, which, he believed, would be attended with increased efficiency as well as with economy. The health of our troops, which suffered greatly in foreign climates, was a most important element in connection both with efficiency and with cost. The death-rate among our troops increased the moment they went out of England and the Mediterranean garrisons. At home the death-rate was about nine per 1,000; in India it was twenty-three per 1,000; and in China it reached as high as sixty per 1,000. In fact, when kept on foreign and unhealthy stations our troops not only cost us more, but they die far faster, thus involving a double loss to the country. In estimating how we could change the distribution of our troops, he would only refer to the infantry battalions. In 1866 we had at home, exclusive of the Guards, forty battalions; in the colonies, forty-nine; and in India fifty-two; but in January, 1869, the number of battalions at home was fifty-two; in the colonies, thirty-five; and in India, fifty-two—the same fifty-two; while the right hon. Gentleman proposed that in the current year there should be sixty-one battalions at home, twenty-eight in the colonies, and fifty-two, he presumed, in India. With regard to the number of troops which ought to be maintained in India he would express no opinion of his own, but would content himself with directing attention to the fact that the right hon. Gentleman the Secretary of State for War would find in his own Department a Report on the subject by Lord Strathnairn, who stated that 50,000 men would be a sufficient garrison for India, a number which would leave a margin of several battalions to be added to the home service. On the whole, he was of opinion that we might have sixty-eight battalions at home to seventy-three abroad, so that the proportion of service would be about six years at home to eight abroad, and if the right hon. Gentleman were able to reduce the number of battalions abroad he might also diminish the enormous depôts which we now maintained at home. Depôts were, in great measure, a dead weight in the army, as far as efficiency was concerned, and, in fact, they were the worst form in which men could be maintained. A considerable diminution, ought, therefore, to be effected in the number of depôts, and if this were done the right hon. Gentleman would be enabled to bring about another reform, which he had already aimed at with regard to shortening the term of foreign duty. He trusted he had been successful in showing that we might diminish the drain on the resources of England for the maintenance of an army of 200,000 men, without at the same time diminishing the efficiency of the service; and in considering this matter we ought never to lose sight of the fact that behind that army there stood an immense reserve force which did not formerly exist. Adverting to the question as to the cost of the administration of the army, the hon. and gallant Gentleman pointed out that in 1837 the total number of men was 130,000, and the total cost of administration £57,000, or 8*s.* 9*d.* per man. In 1865 the total number of men was 212,000, and the cost of administration £212,000, or exactly £1 per man; but in the present year the total number of men would be 195,000, and the total Vote £223,000, or £1 3*s.* per man. This was a subject which called for the careful consideration of the right hon. Gentleman. In speaking of our reserve forces the right hon. Gentleman had remarked that he felt great difficulty in arriving at a conclusion on the question of the Militia reserve. For his own part, he was at the time strongly in favour of the plan originally proposed by General Peel, although he confessed there was a difficulty, which appeared to him a grave one, with regard to any army reserve. The proposals in regard to them all amounted to this — that a small annual retaining fee should be given to a trained soldier in time of peace, subject to the condition that he should be liable to be called on, without any further pay, to enter the army in time of war. But the difficulty was, that at such a time the authorities always offered a large bounty to other men, even though they might be wholly untrained, to enter the service; whereas any advantage of this kind would be denied to men belonging to the reserve force. Referring to the subject of barrack accommodation, he drew attention to the circumstance of our having no fewer than 300 barracks in the kingdom at the present time, and contended that many of them might be beneficially abolished. It was objected that the Militia regiments should be limited to 960 men; but the rule having been heretofore to keep the Militia regiments 25 per cent under their strength, there was nothing lost by that proposal. There was another and a more difficult subject —the abolition of the system of purchase in the army—which would require attention; but it was only fair that the right hon. Gentleman should have time afforded him for giving that matter his serious consideration. There never would, in his opinion, be an efficient reform of the army till they got rid of the system of purchase. He regretted that the hon. Member for Hawick, &c. (Mr. Trevelyan), would not now advocate that change, as he had hitherto so ably done; but if the Government did not take up the question he would himself next year call the attention of the House to the subject.

Colonel LOYD-LINDSAY said, he thought that the principle on which the right hon. Gentleman (Mr. Cardwell) had proceeded to make his reductions was a sound one, and he hoped that the right hon. Gentleman would not only be able to carry out the reductions he had promised for this year, but that, proceeding on the same principle, he would be able to carry those reductions further in following years. At the same time he would urge upon the right hon. Gentleman that while, on the one hand, he withdrew some of the troops he ought, on the other, to give the colonies every facility and encouragement to perfect their own defences and strengthen their means of self-reliance. He did not desire to import the subject of the Volunteers into this debate unnecessarily; but he could not help thinking that the example of this country was sufficient to show that those who were engaged in many and different duties were still willing to give a portion of their time to acquire a knowledge of the use of arms sufficient to assure themselves against attack or invasion. The colonial Volunteers were, he believed, fully on a par, if not superior to the Volunteers in this country. He had the authority of a general officer who had been in the colonies, who had written to him the other day, and stated that when in Victoria, he found the Volunteers there an uncommonly fine body of men, well clothed, well armed, well drilled, smart, and subordinate. On two occasions he had taken them into the field for a week at a time, and he had every reason to be satisfied with them. They turned out about 3,000 men; their artillery was remarkably good, being in possession of both heavy and light Armstrong guns. He trusted, therefore, that every encouragement would be given to the movement in the colonies, and that even pecuniary assistance, if needed, would not be begrudged. The reduction of the West India troops proposed by the right hon. Gentleman was, he believed, a step in the right direction. Recruited, as they were, from the very lowest classes among the population, the four West India regiments were, he believed, not only of little real service, but they were regarded by the inhabitants with dislike and mistrust, because it was generally felt that in case of any difficulty or danger it would be better to be without them. In a letter from an Engineer officer at Barbadoes, the writer said it was the general opinion that in time of difficulty the troops would be a source of danger rather than security, and that the West Indies would be much safer without black troops at all, as their natural inclinations would lead them, in case of *emeute* or disturbance, to side with the lower classes. So far had that feeling gone that he believed the colonists of St. Vincent paid a detachment of the 47th Regiment in order to be certain of better protection. The officers were composed of three classes—those who, being too old to enter the Line, were thus enabled to get into the army by a side door; those who had been induced by bonuses to exchange into those regiments; and non-commissioned officers who had received promotion. The officers of each class alike would only be too willing to exchange into the Line. It was said that we ought to have these native troops for service on the west coast of Africa; but it should be remembered that the cost of maintaining these four regiments was something like £80,000 or £90,000 a year, and a saving to that extent might, he believed, be made without any corresponding disadvantage. He regretted that the right hon. Gentleman should propose to reduce two batteries of artillery, which could ill be spared, because the Volunteers were deficient in this respect, and had to rely upon the regulars to supplement the deficiency. The increase in the home service arising from the withdrawal of troops for the colonies would, he believed, coupled as it was with the extra 2*d*. a day which had been granted to the pay of the soldiers, make the service infinitely more popular than it had hitherto been. He was glad that the right hon. Gentleman was able to give instances of the growing popularity of the service, and that a better class of men could now be secured, as one proof of which he stated that recruits could now be sent to the depôts with railway tickets and not under the care of sergeants. At the same time he believed the resolution would be regretted in many of the colonies. It was advisable to retain the old soldier, and he would suggest that after ten years' service he should be allowed his six months' furlough and to re-enlist if he wished to do so.

MR. ANDERSON said, he had been much struck with the fact that the expressions of approval with which the right hon. Gentleman's speech had been greeted came chiefly from Gentlemen on the opposite side of the House. Their policy was opposed to all change. ["No, no!"] They approved the Estimates because there was so little cutting down in them; but these Estimates had been received with qualified approval on the Liberal Benches, because hon. Members there were committed with their constituents to a policy of retrenchment. The reductions effected by the right hon. Gentleman were not so great as they desired; but they accepted them in consideration of the brief period within which the Government took Office, and in the next Estimates the country would expect a much larger cutting down. So far, the reductions seemed mainly confined to the rank and file. The higher offices in the army, such, for example, as the sinecure colonelcies, were left untouched. He had always understood that those colonelcies were reserved as the reward of distinguished military service. But two Royal Dukes held no fewer than five of them. The Prince of Wales was Colonel of the 10th Hussars and also of the Rifle Brigade; the Duke of Cambridge was Colonel of the Royal Artillery, the Royal Engineers, and of the Grenadier Guards. Now, he was not aware of any distinguished military service as yet performed by the Prince of Wales, and did not see why the Duke of Cambridge should hold a plurality of these appointments. He did not know whether any emolument was attached to those positions or not. If there was no emolument attached to them, it was high time that the country were told so, because undoubtedly there was a strong belief prevailing that emolument was attached to them, and that belief caused dissatisfaction. If there was emolument, he thought there was abuse.

LORD ELCHO said, he wished to bear his testimony to the admirable statement made by the Secretary for War. An hon. Member (Mr. O'Reilly) had said that he had been eight years in the House and had never heard with so much pleasure a statement made in introducing the Army Estimates. Now he (Lord Elcho) had been in the House for twenty-seven years, and during that time this was the first statement he had heard which seemed to shadow forth something like a better system, combining both efficiency and economy. The hon. Member (Mr. Anderson) had stated that on that (the Opposition) side of the House they were opposed to all change. Now he (Lord Elcho) occupying a neutral position, had no right to speak for others around him; but he himself had endeavoured to promote changes in military organization, believing that our military administration must be sadly in fault so long as £14,000,000 or £12,000,000 a year were expended with such miserable results, and believing also that payment by results here, as in education, was the real test. Then, as regarded expressions of approval, there appeared to him to be a great many cheers from the other side of the House, and Members who supported the Government seemed exceedingly well satisfied that their Secretary at War should have made so able a statement. He truly hoped that the speech of his hon. Friend (Mr. Anderson) would be well reported in the *Glasgow Daily Mail*. At this late period of the evening he would not enter at any length into the points in the statement of the Secretary for War. He thought the policy of endeavouring to withdraw troops from the colonies as far as possible was sound. There was one point on which he must sincerely congratulate his right hon. Friend. Some years ago he had resisted, in company with the Chancellor of the Exchequer, the construction of fortifications in Canada. On that occasion they divided with a very small minority, and were beaten—horse, foot, and artillery. But he had ventured to make a little bet with his noble Friend the then Secretary of State for War (Earl De Grey and Ripon), that, in spite of the Vote in favour of these fortifications, not a sod would be turned at Montreal, and he won his bet. Whether through the influence of the Chancellor of the Exchequer or not, the policy of withdrawing troops from an indefensible line of frontier was now being adopted, and very properly so. With regard to the question of foreign service, it was most unjust that soldiers should be only four years at home and twelve abroad. If you wished men to volunteer readily you must allow them to be at least an equal time at home as abroad, and the change proposed by the right hon. Gentleman in this respect was satisfactory. The principle of shorter enlistments was also a sound one, as was that of not needlessly encumbering ourselves with munitions of war. There were certain points connected with the Estimates on which he might have something to say hereafter. But he must express his satisfaction at finding that his right hon. Friend was in favour of providing civil employment for old soldiers. He (Lord Elcho) meant to ask for a Committee on this subject, and hoped to receive the support of the Secretary of State, whose hands would be greatly strengthened by the appointment of such a Committee. As to the purchase system, it was the greatest mistake on the part of army reformers to touch it. The officers did not wish the system abolished; the non-commissioned officers valued civil employment much more than the prospect of a commission. Men experienced in the civil administration of the army were in favour of purchase, and economists should remember that it would cost £10,000,000 to abolish it. He wished the House to remember that military organization meant such a system as would provide an army complete in all its parts, and capable of immediate expansion whenever the exigencies of the country required it. At present the country had got nothing of the kind, and the great question for the Government to solve was how to obtain a sufficient reserve for the time of war.

MR. MUNDELLA said, he believed that more economies might be effected without diminishing the efficiency of our forces. He should at all times go in for the efficiency of the army and navy, and for placing in the field the greatest number of men at the least possible cost. He denied that either side of the House, or any particular class of Members of the House, possessed a monopoly of interest in that question. It was quite true that some of them were not military men, and they did not, therefore, venture to express their opinions with the same confidence as some of the hon. and gallant Members who had spoken. There were some things that they did understand, however; they understood business, and they knew that the contract system with reference to both army and navy had been a disgrace to us for years past. The purchasing functions of the Government had been shamefully abused. He, for one, felt that it was a discredit that the British Government, which was the largest, the best, and the safest paymaster in the world, should buy its articles in the worst possible manner, and, instead of going to the seat of manufacture, let them pass through three or four hands. He rejoiced at the excellent statement made by the right hon. Gentleman the Secretary of State for War. He believed that it would be most satisfactory to the country; but he believed the country would expect that by this time next year the right hon. Gentleman would be able to afford further reductions without reducing the efficiency of the service.

Colonel BRISE, speaking on behalf of the Militia officers, felt highly grateful for the efforts the right hon. Gentleman the Secretary for War was making to render the service more effective. He feared, however, that his efforts would not be as successful as could be desired if they were confined to the abolition of the property qualification for officers and an increase of pay and allowances. He strongly urged that greater inducements should be held out to Militia officers in the shape of commissions in the regular army. As to the Militia reserve force, he could only at that hour of the evening say that his experience of it had not been so favourable as he could have wished.

Sir WILLIAM RUSSELL thought that the policy which the Secretary for War had adopted in regard to the colonies was the only one which could serve us in time of war; and that which he had announced with regard to the reduction of men was, he believed, the right one, and it was, at any rate, one always recommended by the late Duke of Wellington. He hoped the Secretary for War would pursue the course he was adopting in regard to short enlistments, which, he believed, would tend to make the service much more popular than it now was. There was one thing in which the right hon. Gentleman should be very cautious. He was evidently under the impression that he had a reserve; but he believed that was a mistake which would be most fatal when a reserve was most needed. The only true reserve the country could have was the Militia as the first reserve and the Volunteers as the second; and those must be combined with the regular army so as to make it one great force. It was not wise policy, in his opinion, to reduce rapidly the ranks of the junior officers in the army.

Mr. NEVILLE-GRENVILLE referred to the speech of the hon. Member for Glasgow (Mr. Anderson) as being more worthy of the hustings than of the House of Commons, and thanked the Secretary of War for the way in which he had introduced the Estimates. The right hon. Gentleman had referred to the Question he put early in the Session with reference to the Yeomanry Cavalry. He was perfectly sure that, so long as Government would accept the services of the Yeomanry, that gallant body of men would be willing to place their services at the disposal of their country, but they would never be content with the half existence which not calling them out implied. If Government thought lightly of the services of Yeomanry it would be much better to disband them at once; but if they valued that force it should be regularly trained.

Mr. MACFIE, whilst thanking the right hon. Gentleman the Secretary for War for the information he had given, and for the light he had thrown upon the question of supernumerary officers of all ranks, wished to know whether it had been determined upon what system the military defence of the Empire was to be conducted in the future; whether the colonies had been consulted; and, whether the highest military authorities had given any advice to the Government on the subject?

General PERCY HERBERT expressed the satisfaction with which he heard of the right hon. Gentleman accepting the office of Secretary for War, and said that satisfaction had been increased by the speech the right hon. Gentleman had delivered, which showed that he had bestowed much attention and labour upon a difficult subject. The answers which the right hon. Gentleman had given to questions about military organization showed that he was satisfied with the strength of his position—that he was satisfied he had ample powers, and that he accepted the full responsibility of controlling everything connected with the army. Whilst taking no exception to the reduction of some of the batteries of the siege or dismounted artillery, he was sorry the right hon. Gentleman proposed that four batteries of field artillery should be converted into siege artillery. It should be remembered that field artillery was a force it was difficult to bring to perfection; that the proportion of field artillery we had now would be insufficient in the event of the Militia being called out along with the regular troops, and that there would be great difficulty in bringing it up to its fair proportion. The greatest reduction was to be made in the drivers, just the men of all others whom it was most difficult to replace, for their training required a considerable time, and we should require a larger number of them to give a proper proportion of waggons to the field artillery, and to enable us to increase the field artillery, so as to give due support to our Line regiments and Militia, and enable them to meet foreign infantry upon even terms. It must also be remembered that a great many drivers would be required for field ammunition. With respect to the Line regiments, he believed that 560 men were too few to constitute an efficient battalion. They had had practical exemplifications of this during the Crimean War. Previous to the outbreak of that war we raised the strength of the regiments that were sent out from 750 or 800 to 960. This increase, however, was effected by drafting the men out of other regiments; and the consequence was we soon had to send out regiments weak in numbers and embracing many raw recruits. This system was most injurious because it risked the fair fame of the British Army; and yet the right hon. Gentleman was following it. He spoke rhetorically of a battalion of 560 veterans, forgetting that recruits and sick men were included. When Marshal M'Mahon spoke of a *cadre* of 500 men being sufficient for a battalion in time of peace he knew there was a reserve of trained men, and that he could have battalions of 1,100 men at a fortnight's notice. But that was not our position; we had practically no reserves. The pensioners might be useful behind a wall, but they were unfit for the field. He disapproved, therefore, of that part of the right hon. Gentleman's scheme. There was room for effecting great economy—to the extent of £700,000 or £800,000 a year—by discontinuing the re-engagment of men after ten or twelve years' service. There was no more expensive article in the world than a re-engaged soldier. Three out of four of those re-engaged were not fit for the field, after five years further service, but they were able to earn their livelihood, and, perhaps, a better livelihood than if they had remained agricultural labourers. He would permit the re-engagement for the present of men who had risen to the rank of sergeant, but he would positively forbid the re-engagement of any man below that rank. Of course there would be a great advantage in retaining the non-commissioned officers, because sergeant-majors and others occupying that position were of a calibre which it might be difficult to find among younger men. In order to inflict the less hardship on the men it would be well, too, he thought, to follow very liberally the suggestion which had been made by General Peel, to the effect that when a regiment came home in ordinary quiet times those who had completed, say, nine years' service should not be required to complete their twelve years. The result of adopting that system would be that we should have trained young men, should anything occur to render their services necessary, in a few years afterwards, in the place of soldiers who had completed their service. A good deal might be done, he might add, in the direction of bringing about a greater union between the Militia and the army by getting Militia regiments to be connected with battalions of the Line, and sending commissioned and non-commissioned officers together with drums and fifes and bands to their head-quarters during the time when they were out for training. In time of war there would be no lack of Militia officers to enter the service. The suggestion of General Peel that there should be a certain number of men serving with the Militia and receiving extra pay as supernumeraries, and liable to be transferred at a moment's notice from head-quarters to any branch of the service, was, he believed, a very good one, and he was sorry the right hon. Gentleman opposite appeared to speak slightingly on the point, because in no other way could we, in his opinion, secure so large and valuable a Reserve Army.

Mr. RYLANDS expressed his satisfaction with the statement of the Secretary for War, and with the reductions that had been effected. Our military expenditure since the commencement of the present century exceeded the National Debt, its amount being £965,440,916. The extraction of this sum from the country must have trenched considerably on the comforts of the poor. It was the duty of the Government in the interest of the community at large, and especially of the working classes, to do all in their power to diminish it. He was glad therefore that a considerable reduction had been announced to-night, and he hoped that there would be further reductions. He was glad to hear that the colonies were to be called upon to bear a greater proportion of the military expenditure connected with them. The cost of the force in the various colonies was put down at £2,589,886, against which there was put down a probable return of £352,000, leaving nearly £2,250,000 as the sum to be provided by this country. But this was not all, for in a note it was stated that this did not include the expense of administration and non-effective charges, nor the cost of accoutrements, barrack hospital and other stores, and probably the cost of the colonies to this country was not less than from £5,000,000 to £6,000,000. And what was there in return to show to the poor working classes of this country? We received no benefit whatever from Canada, for instance, where there was a large expenditure of money by the Imperial Government. We were met by hostile tariffs. It appeared to him there was no reason why we should not leave these important colonies to bear the whole of the expenditure for their own defence.

Colonel NORTH, while thanking his right hon. Friend the Secretary for War for the clear and explicit statement which he had made in introducing the Estimates, said he would gladly have supported a Vote for a larger sum than was proposed to be taken, because he thought it was unfortunate that the army should be reduced at the present moment, when we had not anything like a sufficient reserve force. He wished, he might add, to call the attention of the right hon. Gentleman to the position of the Cape Mounted Rifles, a corps which was originally composed of natives of the Cape, but which now consisted almost entirely of Europeans, the natives having one fine day deserted to the enemy. The corps performed the duties of cavalry soldiers. Notwithstanding that, the soldiers did not receive even the additional pay of soldiers of the infantry of the Line. With regard to the reduction in officers, he could not help thinking that the proposition of his right hon. Friend the Secretary for War was not a wise one. He was the more convinced of this from the statements of the hon. and gallant Member for Norwich (Sir William Russell). It was true that his right hon. Friend proposed to carry out the reduction in the easiest manner; but still it would stop promotion. With regard to the three regiments of household cavalry, he held in his hand a statement of the duties performed by the officers of those regiments, and certainly their duties were very numerous. On occasions of Drawing Rooms and other Court ceremonials the whole of the officers were on duty—the barrack duties being performed by the Staff. They had to do duty with escorts for the Prince of Wales and other members of the Royal Family, street parties, and the guards of honour. The hon. Gentleman who had just addressed the House (Mr. Rylands) had spoken of the expense of the army for the last sixty-nine years. He would ask the hon. Member whether he had made any calculation as to the advantage which the mercantile community had enjoyed in consequence of the services of the army both up to 1815, when the Great European War closed, and since that period. The hon. Gentleman (Mr. Anderson) delivered a speech which would have been more worthy of the hustings than of the House of Commons. If he had gone to the Horse Guards he would have had every information given to him there; and might have learnt that the Prince of Wales received no emolument from the Rifle Brigade, and that the Duke of Cambridge received none from the Engineers or Artillery. It was a gratification to the public as well as to the corps themselves that the Rifle Brigade should be commanded by a gallant Prince, the heir to the Throne, and that the Engineers and the Artillery should be commanded by a distinguished Prince who in the field of battle had rendered glorious service to his country.

MAJOR DICKSON was of opinion, from personal experience, that the cavalry regiments had not too many officers. It was a mistake to suppose that officers had no other duties to perform than those of field days. Their garrison duties were very numerous. He had known a case in which three officers of one squadron were killed on the field of battle, and a fourth wounded. Cavalry officers could not be supplied at a moment's notice in case of emergency. It required a year's training to make a cavalry officer fully acquainted with his duties. He called upon the Secretary for War to re-consider his decision on this matter.

SIR JOHN HAY observed that his right hon. Friend the Secretary for War had not spoken of any guns of greater calibre than twelve tons. There were at this moment nine ships being built, each of which would carry guns of a greater calibre than twenty tons. He believed that one eminent manufacturer was now making a gun of forty-three tons. He therefore hoped that his right hon. Friend had it in contemplation that guns of more than twelve tons would be required for some of our ships. He did not know whether it was the intention of the Government to have a separation of the sea service ordnance from the land service ordnance. Now, though separate departments might have charge of each ordnance respectively, he did not think it would be desirable, either as regarded efficiency or as regarded economy, to separate the manufacturing establishments. If there were separate manufacturing establishments, we should not have identical ordnance. On a memorable occasion guns from the fortress at Gibraltar re-placed guns on board ship; and other occasions might arise when our having identical ordnance on land and sea would prove to be of great advantage.

MR. CARDWELL thanked the Committee for the marked kindness with which they had received his statement. With respect to the observations of the hon. Member for Glasgow (Mr. Anderson), he would remind his hon. Friend of the old maxim that you should not start on a journey at a greater speed than you will be able to keep up. He thought it would not have been judicious of the Government to have been hasty and presumptuous in making great changes in the army before there had been time to consider them. The hon. Member for Glasgow had made an imputation, for the correction of which he was indebted to his hon. and gallant Friend the Member for Oxford (Colonel North). What his hon. and gallant Friend had said with regard to the terms on which two illustrious Princes commanded certain regiments was quite correct. Their Royal Highnesses received no pay for those additional commands which they had been charged with holding in plurality, nor did their holding them keep any rich prize from deserving officers, while it afforded much gratification to the regiments themselves. He was not aware that there was any intention to separate the manufacture of the sea service ordnance from that of the land ordnance. When he spoke of 12-ton guns, he did so in reference to the column in the Votes for the guns for the land service, but all the demands of the navy had been complied with. Upon the question of the Reserves he might repeat what he had previously said, that he was endeavouring to obtain the best opinion upon the subject, with a view of turning the money for Reserves included in the present Estimates to the best possible advantage. With regard to the question of the contracts, he had to say that Sir Henry Storks, whose name was a guarantee for his perfect fitness for anything he undertook, was directing his attention to the whole question, with the view of ascertaining what was the best arrangement that could be entered into with regard to them. His hon. and gallant Friend the Member for Longford (Major O'Reilly) had spoken of the cost of the depôts. He agreed with his hon. and gallant Friend that that cost was much greater than it ought to be, and he hoped that he should be able to reduce it. With regard to the cost of the administration of the Army, it would be noticed that, owing to the operations of Sir Henry Storks, and to one or two appointments that had been made, including that of the Governor of Guernsey, certain salaries of a higher class had disappeared from the Estimates. With regard to any reduction in the lower places, he must wait for the Report of the Committee which had been appointed to consider the subject, but any reduction that would be made would be conducted on the principle of having a careful and considerate regard for the interests and feelings of those whose positions would be affected by the proposed changes. As long as these conditions were kept in view, he should be glad to carry into effect any scheme for retrenchment that the Committee might suggest. The right hon. Gentleman who had preceded him in Office (Sir John Pakington) had observed upon various points in his speech in a most courteous manner; but one or two matters to which he had referred required some explanation. The right hon. Gentleman had found some little fault with the reductions in our forces proposed to be effected by the present Administration. The reductions in Canada would not reduce the force below 4,000, which was nearly one-fourth more than the number of troops maintained there in 1853. The reductions in the eastern colonies would not be great, as the following figures would show:—In the Straits Settlements the number of troops proposed to be maintained was 1,722, as against 1,609 for last year, and in China, which included Japan, 2,266, against 2,685 for last year. He had been particularly desirous of reducing the force in Hong Kong, in consequence of the unhealthiness of the climate and the expense of lodging the troops. The changes that had been effected in the force stationed at that place and at Galle would result in a considerable reduction of expenditure, and in an improved distribution of the troops. The question of the quartermasters was a very small one, only involving an expenditure of a few hundreds of pounds, and really, amid the multifarious matters to which he had had to direct his attention, he had not had time to look thoroughly into a question which, though small in itself yet, as an increase of the non-effective Vote, required some attention. He would, however take the matter into future consideration. Then he came to a more important matter—namely, who was to be the head of the Arsenal. The right hon. Gentleman appeared to think that this question was one of principle, whereas in point of fact it was one which must be solved by laying down sound practical rules, and when solved it would require considerable judgment and good temper on the part of those in authority to carry into effect the determination that might be arrived at in respect to it. All he could say to the right hon. Gentleman was that the whole subject of how far the management of that department was to be intrusted to the control department, and how far it was to be intrusted to the Director General of Ordnance, was one of the questions which the Committee would consider in the course of their inquiries, and as soon as he was aware of the result of those inquiries he would communicate it to the House. The finance control was one of the first questions the Committee would have to report upon; that Report he had not yet received, but as soon as it came into his hands he would also make known its purport to the House. The right hon. Gentleman had made some remarks upon the hon. and gallant Member for Truro (Captain Vivian), which he thought were undeserved. The hon. and gallant Member had really worked very hard during the period he had been in the War Office, and he could say with perfect sincerity that he had been very much indebted to him for the valuable services he had rendered him. His knowledge of military matters was very limited, and he had been greatly assisted in his labours by the suggestions which had been offered him by the hon. and gallant Member. The retirement of Artillery and Engineer officers was not as simple a matter as it appeared at first sight. Retirements from one branch of the service must be considered with relation to all the other branches. Only yesterday the case had been mentioned of what was called the supercession of officers on the English list by officers on the local Indian list, which was considered a grievance, because it gave commands to younger men. His right hon. Friend found that the actuaries raised considerable difficulties with regard even to a scheme of partial retirement. More time, therefore, would obviously be requisite to mature any general scheme on the subject. The question, moreover, of the mode of retirement would necessitate an Act of Parliament, of the introduction of which during the present Session notice had been already given. Until it was ascertained, therefore, how far such a measure was likely to prove acceptable to Parliament, it would be more judicious on his part to abstain from making any proposals of his own, which would be dependent on that Bill for being carried into effect. As to proposed changes in the cavalry, all he could say was, the endeavour had been to effect these in such a way as, while laying down principles of economy for the public benefit, to occasion as little inconvenience and injury to individuals as possible. His belief was that they had effected the proposed reductions in that spirit, and that when examined the changes would prove to be acceptable.

Vote *agreed to.*

(2.) 1,760 Native Indian Troops.

(3.) £5,313,800, General Staff and Regimental Pay, Allowances, and Charges.

(4.) £1,185,600, Commissariat Establishment, Movement of Troops, &c.

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again *To-morrow.*

CIVIL SERVICE PENSIONS BILL.

On Motion of Mr. Locke King, Bill to remove doubts as to the qualification of persons holding Civil Service Pensions or receiving Superannuation Allowances to sit in Parliament, *ordered* to be brought in by Mr. Locke King and Mr. Russell Gurney.

Bill *presented,* and read the first time. [Bill 46.]

MEDICAL OFFICERS SUPERANNUATION (IRELAND) BILL.

On Motion of Mr. Brady, Bill to provide for Superannuation Allowances to Medical Officers of Poor Law Unions, and of Dispensary Districts of such Unions in Ireland, *ordered* to be brought in by Mr. Brady, Mr. Pim, and Mr. Trant Hamilton.

Bill *presented,* and read the first time. [Bill 48.]

GAME LAWS (SCOTLAND) (NO. 2) BILL.

On Motion of Mr. Loch, Bill to amend the Game Laws in Scotland, *ordered* to be brought in by Mr. Loch, Sir Robert Anstruther, and Mr. Parker.

Bill *presented,* and read the first time. [Bill 47.]

House adjourned at
One o'clock.

HOUSE OF LORDS,

Friday, 12th March, 1869.

MINUTES.]—Select Committee—Hypothec *appointed.*

Public Bill—*First Reading*—Bankrupt Law Amendment (Ireland) * (30).

LAW OF HYPOTHEC IN SCOTLAND.

MOTION FOR A SELECT COMMITTEE.

The Earl of AIRLIE, in moving that a Select Committee be appointed to inquire into the operation of the Law of Hypothec in Scotland, said that, as many noble Lords were probably strangers to the law of hypothec as it obtained in Scotland, it would be necessary to enter into some explanation of its operation. In the first place, the Scotch law of hypothec was analogous to, though not precisely identical with, the law of distress in England and Ireland—a law which gave to the landlord, if the tenant should be unable to pay his rent, the right to distrain upon his crops or furniture. In fact, it gave to the landlord the first claim upon either crops or furniture, and entitles him to receive his rent before any creditor could recover any portion of the debt owing to him. This was not altogether a new question. In the year 1864 a Royal Commission was appointed to inquire into the subject, and in 1867, under the late Government, an Act was passed which was introduced by a noble and learned Lord who was then Lord Chancellor (Lord Chelmsford). That measure did to a certain extent remedy what was held to be a grievance. The passing of the Act, however, could hardly be said to have settled the question, for there had been in Scotland for some time a great deal of discussion upon the subject. Last Session the hon. Member for Forfarshire (Mr. Carnegie) introduced a Bill in the other House to abolish the right of hypothec. His hon. Friend did not succeed in passing his measure, but he (the Earl of Airlie) understood that he had again this Session introduced a Bill with the same object. He would not now discuss the provisions of that Bill, which was not before the House, nor would he speak of what might or might not be the fate of that Bill. He only referred to it because he understood one of the most important stages of the Bill was fixed rather late, and as there was a considerable pressure of Business in the other House, it might happen that the Bill might come up to their Lordships at so late a period of the Session that they could have no alternative but either to reject it altogether, without discussion, or pass it without due consideration. He thought therefore their Lordships would agree that it would be better to grant a Committee of Inquiry into this Act, so that they might be able to ascertain whether any further legislation upon the subject was required; and, if so, what ought to be the scope and tendency of such legislation. It was argued by those who desired the abolition of the law of hypothec that there was no reason why the landlord should have any priority of claim in the event of the bankruptcy of the tenant. It was said that this was unfair to the general creditors, and that it was injurious to the tenant himself, inasmuch as it induced a large number of occupiers to compete for farms, and thus raised the rent. It was said that the law was pernicious to agriculture, because, by its peculiar operation, it prevented the farmer from obtaining such facilities as he ought to have for procuring artificial foods and other things—indispensable to high farming. These shortly were the arguments which were used against the law of hypothec, and they were arguments which applied equally against the law of distress. Now, there was a great contrast between the great breadth of the principles which were laid down, and the very narrow and limited area in which it was proposed to apply them. The arguments which were urged, if good against hypothec in Scotland, were equally good against the law of distress in England and Ireland. He did not mean to say that there might not be exceptional circumstances which might justify exceptional legislation, and if it could be shown that the condition of agriculture was more backward in Scotland than in England and Ireland, and that on the whole the occupiers of land, as a class, were less comfortable and happy, and that the position of the agricultural population was altogether less satisfactory, then indeed a case would be made out for dealing with the question in Scotland, and leaving it alone in England and Ireland. It seemed to him that the burden of proof lay with those who demanded this exceptional legislation to show that such legislation was necessary and expedient in Scotland as, judging by the mode in which they proposed to proceed, they thought neither expedient nor necessary in England nor in Ireland. To compare for a moment what had been proposed for Scotland with what had been proposed in the case of Ireland. They were told by people who were entitled to be listened to at all events with attention and respect, that the land tenure question of Ireland was at the root of the Irish grievance. Now, in 1866 a measure was brought forward by the Government of that day which dealt with the question of land tenure in Ireland. It was introduced by the right hon. Gentleman who was then, as he is now, Chief Secretary for Ireland (Mr. C. Fortescue), and he (the Earl of Airlie) referred to that measure because he believed it was considered satisfactory even by the most ardent advocates of tenant-right. The measure failed, not so much on account of the opposition on the part of the tenant-right party, as on the part of those who advocated the side of the landowners. That measure dealt with the law of distress, and dealt with it in this manner—it abolished the presumption in favour of the law of distress, unless there was an agreement in writing between the landlord and the tenant that the right of distress should be retained; but the measure now asked for in the case of Scotland went beyond this. If the measure was carried by those who desired the abolition of the law of hypothec, the law would then over-ride any contract which might be made between the landlord and tenant. He was not there to discuss the merits of the proposition, or whether it was right or wrong—all he wished to point out was this, that the proposition made in regard to Scotland went very far beyond—as far as, he believed, beyond any proposition ever made even in the case of Ireland. Now, no doubt there were differences between the position of the landlord in Scotland and the position of the landlord in England; but it did not appear to him that the position of the Scotch landowner was so exceptionally favourable that he should be legislated for in such a way as to impair the security which he now had in reference to the holding of his land, and yet leave the English law untouched. In England, as their Lordships were aware, it was the occupier of the land who payed the tithes and rates; he also paid the property-tax, but he deducted the amount from the rent. On the other hand, there were charges upon the land and upon the landowner in Scotland which did not at all fall upon the land or landowner in England—and, in point of fact, the case with regard to England was reversed in Scotland. In Scotland the landlord was liable to payment of half the poor rate. He was also liable for the whole of the county rates; and, in addition to this, he was liable for the whole burden of the maintenance of the Established Church. Beyond all this, in Scotland the landowner was charged with building and repairs of schools. He was also liable for half the amount of the schoolmaster's salary, and for the building repairs of the house of the clergy, and for the building and repairs of the churches; whereas in England the church rate had been abolished. Now, in Scotland, for all these charges the landowner was liable, whether he received one penny of his rent or not; and he thought it would be a very proper subject for a Committee to inquire into, whether, supposing the Legislature should think fit to abolish the security which the landlord now had for the payment of his rent in the case of a bankrupt tenant, he should be left still subject to all these charges. There was another point. Supposing the law of distress to be abolished, how would that affect those who held what in Scotland were called heritable bonds, and in England first mortgages on landed estates? At present the security of the holder of the mortgage was as perfect as it could be; but his security for his interest could not be better than the security of the landlord for his rent. If the landlord agreed to pay the interest, the mortgagee stepped into the shoes of the landowner, and sequestrated the rent; and if the tenant failed it was clear that for so much of the interest his security was less than it was before. It was all very well to say that the mortgagee could foreclose, or require his principal to be paid. So he might, no doubt; but, in the first place, men who invested their money in mortgages on land generally did not want to be paid. What they wanted was to secure an easy investment of their money. If you diminish the security for the rent, it was clear that you depreciated the value of the land; and if that was so—if the value of the security was depreciated—one of two things would happen—either a larger margin would be required, or the rate of interest would be raised; and probably both would happen. But every one knew that the larger part of the improvements made on landed estates were made with borrowed money, for very few landlords could make them out of their incomes. But he would leave this matter to the attention of those Gentlemen who said that the law of hypothec stood in the way of the improvement of the land, and would ask them to consider whether, if they diminish the security, and supposing the security to be unpaid, that would not have the effect of diminishing the landowners' power of raising money, and thereby prevent or stand in the way of improving the land? Then it was said that the landowner ought to take care to get tenants with plenty of capital, and then there would be no doubt as to his rent. In general, owners of land were anxious to get tenants with capital, and for certain descriptions of farms there was no difficulty in getting tenants with abundance of capital. There was no difficulty in getting tenants with capital for farms which were of good soil and which were favourably situated as regards climate. There was no difficulty in getting tenants with capital for large grazings; but there was a large amount of land in Scotland which lay on the verge between the pasture land and the arable country, and was formed into small farms of not very good land, with a not very favourable climate. Those farms were occupied for the most part by men of an industrious and deserving class, who were, in the first instance, generally without any capital; and it was impossible for them on entering their farms to pay their rent in advance, or even to pay it within a short time afterwards. He knew cases where many of these men had risen from being shepherds, ploughmen, or agricultural labourers, but who were now in the occupation of very good farms, with very fine land indeed; but he did not believe that those men would ever have had the opportunity if it had not been that the landlord was enabled to give them credit for the rent they had to pay at first. For his own part, he saw no great cause for fear with regard to the landowner. He thought he would be able to secure his rent. They were in the possession of property for which the demand was great, and continually increasing, and they were in a position to make their own terms; but he did fear that, if this law of hypothec was abolished unconditionally, it would place a very great hardship on a very deserving and industrious class of men. What would be the consequence in the case of those farms of very moderate fertility and bad climate to which he had alluded? He believed that, if they took into account the expense of repairs, the landowner did not derive much more profit from them than he would have if they were in grass, in a state of nature; but, so long as his rent was paid, he preferred that these men should hold them. But if they imported into the contract the element of uncertainty, and made it very doubtful whether he would be sure of receiving his rents or not, what he would naturally do would be this—He would consolidate those farms, throw them into large grazings, and either stock them himself or let them to men of capital who would be able to pay rent. That was a change which could not be gone through without creating great hardship and suffering to those who might occupy those farms. He had seen in one of the local papers an account of a meeting held by members of the Rossshire Farmers' Club, which was largely attended by tenant farmers, who agreed unanimously to petition against the abolition of the present law of hypothec. If your Lordships would grant this Committee, he hoped they would be able to begin work soon after Easter, and he trusted that in a reasonable space of time they would place before their Lordships such information as would enable them to come to a right conclusion upon the question.

Moved, That a Select Committee be appointed to inquire into the operation of the law of Hypothec in Scotland.—(*The Earl of Airlie.*)

The Duke of ARGYLL said, he had listened with great interest to the very able and clear statement of his noble Friend, who, he thought, had put the whole question before the House in a very clear manner. He thought it very desirable that this matter should be investigated by a Committee of that House. He entirely agreed with the general principle laid down by his noble Friend, that this question could not be considered only in reference to Scotland; he thought the Committee should consider the relation in which the law of hypothec in Scotland stood to the law of distress in England and Ireland, and to the existence of similar provisions—he was told there were such provisions—for the security of the landowner in other countries of Europe. It would be most satisfactory, having regard to the general principle of jurisprudence, and it would be found convenient for the Committee to inquire into the rights of the owners of the soil in this country and in Europe generally. On behalf of the Government, he fully concurred in the Motion.

Lord CAIRNS asked, what would be the form of reference, so as to enable the Committee to include an inquiry into laws with regard to other countries, and to all parts of the United Kingdom as well as to Scotland?

The Duke of ARGYLL said, the Motion referred only to the law of hypothec; but he apprehended it would be quite competent for the Committee to inquire into the relation of that law to similar laws in other places.

The Earl of SELKIRK was understood to approve of the appointment of a Committee, but desired to point out that the Act of 1867 had been so short a time in operation that its effect could scarcely be ascertained at present.

Motion *agreed to.*

And, on Thursday, 18th March, the Lords following were named of the Committee:—

L. Privy Seal
E. Doncaster
E. Airlie
E. Graham
E. Grey
E. Minto
E. Morley
E. Camperdown
L. Saltoun
L. Wharncliffe
L. Rossie
L. Panmure
L. Abinger
L. Portman
L. Clandeboye
L. Colonsay

BANKRUPT LAW AMENDMENT (IRELAND) BILL [H.L.]

A Bill to amend the law of Bankruptcy in Ireland—Was *presented* by The Marquess of Clanricarde; read 1^a. (No. 30.)

House adjourned at a quarter before Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 12*th March*, 1869.

MINUTES.]—Supply—*considered in Committee —Resolutions* [March 11] *reported.*

Public Bills — *Ordered—First Reading*—Mutiny *; Seeds Adulteration * [49].

Second Reading—Stannaries * [24].

Committee — Report — Consolidated Fund (£8,406,272 13*s.* 4*d.*) *

SCOTLAND—FAGGOT VOTING IN PEEBLESSHIRE.—QUESTION.

Sir **EDWARD COLEBROOKE** presented a Petition from certain Electors of the Counties of Peebles and Selkirk, complaining that, at the last General Election, upwards of fifty of the voters had a qualification of an "illusory character;" that arrangements were being made for largely increasing the same description of votes; and praying the House to afford a remedy. He begged to move that the Petition be read by the Clerk at the Table.

Petition read.

Sir **GRAHAM MONTGOMERY** said, that the 50th clause of the Corrupt Practices Act, passed last Session, stated that no Return of a Member to Parliament should be questioned except in accordance with the provisions of that Act. He would therefore beg to ask the right hon. Gentleman in the Chair, Whether it is competent for any hon. Member to present such a Petition; the time for presenting Election Petitions being limited by the 50th section of the Corrupt Practices Act of last Session? He wished therefore to know whether the Petitioners were not precluded by that Act from presenting this Petition?

Mr. **SPEAKER**: As I understand it, the Petition is not one questioning the return of a Member. It merely sets forth a grievance which the Petitioners think requires the consideration of the House.

IRELAND—MUNICIPAL FRANCHISE.

QUESTION.

Mr. **M'CLURE** said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to ntroduce a measure to extend the Municipal Franchise in cities and towns in Ireland to the same classes who by the Act of last year are entitled to claim the Parliamentary Franchise?

Mr. **CHICHESTER FORTESCUE** said, that he agreed with the hon. Gentleman that the municipal franchise in Ireland was in an unsatisfactory condition and required consideration, which it would receive at the hands of the Government. He was not able however to undertake to legislate on the subject at present.

INDIA—THE BANK OF BOMBAY.

QUESTION.

Mr. **NICOL** said, he wished to ask the Under Secretary of State for India, When the Report of the Commission on the Bank of Bombay is likely to be made public?

Mr. **GRANT DUFF**, in reply, said, that the Bombay Bank Commission was issued by and had reported to the Government of India. The Report had not yet been received from India, and he could not therefore give a categorical answer to the Question, but his hon. Friend might be assured that there would be no unnecessary delay.

BANKRUPTCY BILL.—QUESTION.

Mr. **CROSS** said, he wished to ask Mr. Attorney General, When the Bankruptcy Bill will be brought in and placed in the hands of Members?

The **ATTORNEY GENERAL** said, he regretted that the Bill was not now in the hands of Members; it would be, however, in a very few days. He might state that no small part of the labour of the draftsman had been owing to his endeavours to shorten it.

THE INMAN MAIL SERVICE CONTRACT.

QUESTION.

Mr. **GRAVES** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether a Contract with Mr. Inman for a Service from Queenstown to New York, on Friday instead of Thursday, on terms in other respects identical with those of the Contract now before the House, has been sanctioned by the present Board of Treasury; and, whether Mr. Inman, in agreeing to the change of day which was proposed to him by the Government, did not stipulate that all the other conditions of his Contract made with Her Majesty's Government should be maintained?

THE CHANCELLOR OF THE EXCHEQUER said, that to the first part of the Question of the hon. Gentleman he must reply in the negative. The matter stood thus—On the 9th of December last a Treasury Minute was made by the late Government, sanctioning the contract with Mr. Inman for carrying the mails from Liverpool to New York for a certain sum. That contract had been executed by the Postmaster General of the late Government, the Duke of Montrose, on the 11th of December. That contract, so far as the present Government were concerned, was still in force, and remained uncancelled, awaiting the pleasure of the House of Commons whether it was to become valid or not. A negotiation had been entered into between the Government and Mr. Inman that, in case it should be the pleasure of Parliament the contract should stand, Mr. Inman should convey the mails on a different day, the contract in other respects remaining the same. But that contract had not been entered into by the present Government. The only contract entered into therefore was the contract between the Duke of Montrose and Mr. Inman, and that, as he had said, still waited the pleasure of Parliament. It was quite true that Mr. Inman, in agreeing to a change of day, had stipulated that the terms of the contract should in other respects remain the same, and if it should be the pleasure of the House that the terms of the contract between Mr. Inman and the late Government should be accepted, then the present Government would be ready to execute the contract on the same terms in all other respects.

SCOTLAND—QUEEN'S REMEMBRANCER.

QUESTION.

MR. MILLER said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of Government to fill up the office of Queen's Remembrancer in Scotland, vacant by the death of Mr. Henderson?

MR. GLADSTONE said, in reply, that the office of Queen's Remembrancer in Scotland was of very considerable importance, as in him was vested the power of auditing accounts and controlling expenditure. He could not, therefore, give his hon. Friend to understand that no provision would be made for the performance of these duties. It was only yesterday that the account of Mr. Henderson's death had been received, and there had been no time for considering what alterations might be made in the present arrangements.

SCOTLAND—ASSESSMENTS.

QUESTION.

MR. CRAUFURD said, he wished to ask the Lord Advocate, Whether it be his intention to bring in any measure during the present Session to repeal the 37th section of the Scotch Poor Law Act, 8 & 9 Vic. c. 83, and to provide that all assessments in Scotland shall be made on the gross rental; and, if so, how soon he will introduce the Bill?

THE LORD ADVOCATE said, in reply, that it was his intention to propose a measure of the description alluded to by his hon. and learned Friend, and he would probably be ready to introduce it shortly after the Easter Recess.

POST OFFICE—LIFE ASSURANCES.

QUESTION.

MR. WELLS said, he would beg to ask the Postmaster General, Whether it is his intention to bring in a Bill for authorizing the grant of Assurances on Life as low as five pounds?

THE MARQUESS OF HARTINGTON said, in reply, that a Bill was prepared, and would be shortly brought in either by his right hon. Friend the Chancellor of the Exchequer or himself, which would, if passed, enable the Post Office to grant assurances on life for five pounds.

POSTAL—POSTAGE ON NEWSPAPERS.

QUESTION.

MR. STAPLETON said, he would beg to ask the Postmaster General, Whether he will be prepared at the commencement of the financial year to reduce the postage on newspapers, so as materially to facilitate their circulation in the rural districts?

THE MARQUESS OF HARTINGTON in reply, said, he had not the power, even with the consent of the Treasury, under the present Act of Parliament, to authorize the transmission of anything by post unless charged 1*d*. The subject, however, had been under consideration, and when the hon. Member for Liverpool

(Mr. Graves) should bring forward his Motion, he believed next week, he should be in a position to state whether the Government would be prepared to bring in a Bill to enable the Post Office to transmit newspapers, and, perhaps, under certain circumstances, other printed matter for a less charge than 1*d.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EDUCATION IN LARGE TOWNS.

MOTION FOR A SELECT COMMITTEE.

MR. MELLY:* I rise, Sir, to call the attention of the House to the numbers of young children in our large towns who are growing up without any education, unaffected either by the educational clauses of the Factories Act, or by voluntary efforts, and to move for a Select Committee to inquire into, and, if possible, suggest a remedy for, this serious state of matters. The great courtesy I received at the hands of the House last Session, on the two or three occasions on which I ventured to address the House on matters nearly touching the welfare of the industrial classes, has emboldened me to ask its attention to this subject, in which, both as a Liverpool magistrate and as a representative of one of our most populous industrial communities, I feel a very deep interest. I am well aware that, as this debate will show, many hon. Members would more ably have commenced this discussion, but I gather courage from the knowledge that this is no party Motion. Every hon. Member in this House has equally at heart the education of every child in this kingdom, and the time has not yet arrived at which any section of this House, pinning its faith to some particular measure, will assert that, by that means alone, can this desirable end be attained. I am met by an Amendment, which will be moved by my hon. Friend the Member for Brighton (Mr. Fawcett), declaring that it is inexpedient to grant the proposed Committee, because the information necessary for the framing of a comprehensive measure of national education is already in the hands of Her Majesty's Government. I do not know whether Her Majesty's Government will support the hon. Member for Brighton in that statement; but the information in question is certainly not upon the table of the House, nor do I know where it can be obtained. There have been countless blue books, and two principal inquiries into the state of primary education in this country. The Royal Commission of 1861 inquired into the general state of primary education; and the Select Committee, presided over by Sir Stafford Northcote, which reported in July, 1861, dealt with the condition of destitute and neglected children. But, out of the fourteen largest provincial towns, the educational state of Bradford, Stoke-upon-Trent, and Merthyr Tydvil are the only ones reported upon by the Royal Commission of 1861, and in its Report there are no figures and no information whatever as regards the three great provincial cities to which I propose to call the attention of the House. Again, the Select Committee on Destitute and Neglected Children reported only on the ragged and industrial schools of London and Bristol, and gave no information whatever on the points I desire to raise. The Committee said in their Report—

> "There still remains a residue to be dealt with, though of its numbers the Committee have no evidence."

And it is on this question of their numbers I wish for information. Again the Committee reported—

> "For children who have acquired criminal or vagrant habits provision is made by the Industrial Schools Bill. Until that measure has been tried, no other provision, at the expense of the State, should be made for this class."

Eight years having passed away since that decision was arrived at, information on that point is now required. What has been the result of the extension of the Factories and Workshops Acts? How has the Industrial Schools Act answered? At what cost are these schools carried on? We have been told that Her Majesty's Government are unable this year to deal with the great question of primary education, and that they will confine themselves to the passing, if it be possible, of the Endowed Schools Bill. That being so, inquiry might be very wisely and legitimately made by this House into the number of children at school in the great provincial cities, the cost of their education, and the kind of education they are receiving, also as to the action of the Industrial Schools Act, the effect of the extension of the educational clauses of the Factory Act to those large towns, and more especially the operation of the new legislation called the Workshops Act. These are matters on which it would be well that information should be laid on the table of the House. Some years ago, in a speech delivered at Halifax, my right hon. Friend the Home Secretary (Mr. Bruce), whose views we can have no reason to believe have been modified by the high position he now holds, said—

> "Any system worthy of being called national must be one capable, if not immediately, yet sooner or later, of grappling with the whole difficulties of national education—there must be no class unprovided for."

I hold—and I am supported by many hon. Members in holding—that, if you will insist upon having—as you must insist upon having—a scheme of national education capable of grappling with every class of children, you will have to adopt a system of compulsory attendance and free municipal schools; but neither the Government nor the House, much less the country, will be prepared to adopt a measure of so drastic and novel a character, unless they are thoroughly convinced that the facts and figures will justify so extreme a course. We may have, in the first instance, to adopt an experimental plan, and we may have to deal in this novel manner with four or six or eight of the largest cities, before such a measure of education for the whole country can be proposed with any prospect of success. I may be asked, "Why have you not included the rural districts in your Motion; because the state of education in the rural districts is as deplorable as it is in the large cities?" It may be so, and it may not be so; but the ignorance in rural districts, serious as it may be, does not bring with it the drunkenness, the pauperism, the misery, the crime, and the excessive rates of which it is at once the cause and the effect in our large cities. I will not take up the time of the House by describing how, in our great cities, 300,000 or 500,000 persons are brought together, within an area of from five to eight square miles, subject to conditions for which our modern legislation has not provided. The parochial system has broken down; ministers of all religious denominations are completely overwhelmed with work and outnumbered by the destitution, misery, and irreligion of the thousands which surround them. The relations between employer and employed have become impersonal; we hardly know the numbers of the people we employ, and we deal with them not as units but in hundreds —as hands not men. The ever-widening gulf between rich and poor, who have ceased even to live near one another, so that whole districts exist in each of our great cities in which, if not the most respectable, the wealthiest, ratepayers are the pawnbroker at one corner, who takes the drunkard's clothes in pledge, and the gin-palace keeper at the other, who sells half-penny worths of gin to little children whose heads can hardly reach to his counter — the existence of organized and recognized professors of crime, and the professional mendicancy which is so largely encouraged by the many stupid people who give money indiscriminately in the streets — all these conditions of life in great cities constitute the almost insoluble problem with which we have to deal.

In support of the Motion I shall confine myself to large cities, and in speaking of the educational destitution of large towns I shall select the three principal cities of the Empire — Liverpool, our first seaport — Manchester, the metropolis of the cotton manufacture—and Birmingham, the centre of the hardware trade, which contain an aggregate population of 1,219,807. This is no invidious selection. There are no three cities which by voluntary effort, by sanitary legislation, by municipal action, and by private charity, have so distinguished themselves. The municipality of Liverpool has subscribed no less than £7,500 during the last seven years to the reformatory movement, and gives 1*s.* a week to the support of each inmate of the local industrial schools. By the liberality of private individuals, Liverpool maintained 626 children in her five reformatories, 950 in her nine certificated industrial schools, and 2,672 in her orphanages. Manchester has ever taken the lead in all educational, as in all political matters; her Education Aid Society has sent thousands of children to school during the last five years, and, had it been left to Manchester by a wise legislature to deal with the educational condition of her people, she would long ago have solved the problem for herself. The municipality of Birmingham stands alone in having established and maintained an industrial school; and her Education Aid Society, presided over by the hon. Member for Birmingham (Mr. Dixon), who will second this Motion, has sent many hundreds of children to school during the last three or four years. If the condition of things I am about to show, exists in these cities which have done so much, what must be the condition of those other large towns which are behind-hand in the race of private benevolence, public action, and voluntary effort? It has been humourously said that there is nothing so delusive as statistics, except facts; but, until the statistics asked for are placed on the table of the House, we must take the most reliable figures we can obtain: this at least I can say, I have selected them honestly from the best sources, and I will use them fairly. One word to my right hon. Friend the Home Secretary: I hope that when the Census of 1871 is taken we may at last obtain correct educational statistics. They were only partially given by the Registrar General in 1851; they were entirely omitted in 1861; may we not hope that in 1871 an end may be put to the discussions which take place about the correctness of educational statistics, by provision being made for a complete educational survey of the country? I deal with Liverpool first. Some time ago a few gentlemen, of both parties and of different religious denominations, met together with a view of taking measures to inquire into the educational state of the borough. They made a fair selection of three streets in each of the sixteen wards; they visited every house in those forty-eight streets, and they found, excluding infants, 5,890 children at school, and 6,443 not at school and not at work. From the Returns of the Registrar General there are 98,256 children of school age, that is between the age of three and thirteen, in Liverpool. The proportions arrived at by visiting three streets in each ward would, if extended to the whole borough, give 46,925 children at school, and 51,331 not at school. They not only visited the streets, but they visited every school, down to schools containing twenty or thirty children, and they found 45,677 children at school; a result amply confirming the conclusion drawn from their previous calculation. Public spirit in Liverpool is strong enough. There is no want of school accommodation; the disease lies deeper than this, and some more efficacious remedy must be devised. There are 15,991 vacant places in our existing schools, of which no fewer than 10,000 are in the schools intended for the working classes. Religious differences cannot be pleaded, for there is room for 6,000 in Protestant schools, and for 3,000 young Roman Catholics. Poverty cannot be urged; for without reckoning ragged day and evening schools there are 1,500 vacancies in the free schools. There is no juvenile labour, no employment for children under thirteen, in the town of Liverpool; the Factory Act, therefore, can have no operation; yet there are from 40,000 to 50,000 children of school age who are not at school. As a Liverpool magistrate, I assert that there are from 25,000 to 30,000 children in the streets of Liverpool who are learning nothing, if they be not learning habits of vagrancy, mendicancy, and crime. The chief constable of Liverpool has courteously undertaken to look into the subject a little closely. On a certain day, when the schools of Liverpool were open, and between half-past ten and half-past eleven in the forenoon, police officers were specially told off to count the number of children apparently under fifteen years of age who were "at large" in twelve streets and at twelve junctions, omitting all boys who had the appearance of going about their business, and all girls who had children in their charge. The police counted no fewer than 1,906 little girls and 2,692 little boys. On another day the police counted the children who were—the House will observe the bitter irony of the term—"at large" around the warehouses where sugar and fruit were being taken in, and along the line of docks where ships were being discharged — parts of the town in which such children had no business to be—and the number counted was 713—514 boys and 172 girls. Again the police counted the number of little children who were selling fusees in the streets at night, and there were 288 at six o'clock, and at eleven o'clock 127, of whom forty were little girls. I now come to the case of Manchester. The Manchester Education Aid Society has not confined itself to sending children to school, but it has collected some statistics to which reference may perhaps be made by the hon. Members for Manchester. The results arrived at, however, are these—there are in Manchester, as appears from the Returns of the Registrar General, 75,667 children of school age, of whom less than half are at school and less than a quarter at work, and there cannot be less than from 20,000 to 25,000 who are living the life of the streets. In Birmingham a canvass has been made of 52,573 children, of whom 37,112 were found to be of school age. There appeared to be fewer at work in Birmingham than there are in Manchester; and, of the 77,687 children the Registrar General reports existing in Birmingham of school age, no fewer than 18,000 or 20,000 are unaccounted for, and are no doubt receiving their education in the streets. To sum up, then, in the three towns 94,502 children have been visited; 25,002 were found at school, 29,128 were neither at school nor at work, and 12,661 were at work, making 66,791 of the school age accounted for. If calculations be based on these figures, the experience of this actual canvass gives this general result. The Registrar General puts the number of children of school age in these three towns at 251,710. Of these only 56,261 are receiving education in schools recognized by the House of Commons and to which grants are made; not more than 125,000 can be put down as attending any school whatever; not more than 55,000 are at work; and there are no fewer than from 65,000 to 75,000 children in these three towns — and we have no reason to believe that they are, in proportion to their population, any worse than all other large towns—who are growing up unaffected either by the educational clauses of the Factories Act, the Industrial Schools Act, or by voluntary effort. This is the result we have arrived at by our *laissez faire* policy of leaving everything to be done by voluntary effort, and our want of courage in dealing with the sectarian differences which have so long retarded educational progress. The time has come to put out the strong hand of the law to teach and, thus to, save this vast number of children. There is nothing exceptional in this state of things if we compare it with what exists in other parts of the world. The State of New York subscribes £1,000,000 sterling, or one-fifth of its entire taxation, to educational purposes, to a complete system of State free schools; and yet two years ago the superintendent of the State declared that there were 75,000 children within the city of New York who either attended no school or whose means of instruction were limited to the briefest possible period. Granting their system of enrolment to be perfect, we find that last year 222,526 children enrolled gave an average attendance of only 91,984. The superintendent sums up his Report in these words—"I will not ask, looking to these vast numbers, What shall we do with them? But I will ask, What will they do with us?" I am sorry to take up the time of the House with so many statistics; but I must attempt to answer this question — What are they doing with us? I turn to a table showing the increase of crime and the decrease of education in the three towns I have named. As we have sown so we are reaping. There is no question which is being so much pressed on our attention as that of the excessive increase of local rates. It is pauperism, the child of drunkenness, which again is the child of ignorance, which is causing this vast cry against our heavy local taxation. The Home Secretary, the other day, in answer to a Deputation on the question of the increase of crime, said he did not believe there was any great increase of the blacker descriptions and the darker sorts of crime; but the Home Secretary did not and could not say that there is no increase in the large centres of population of petty larceny, drunkenness, and of those smaller descriptions of crime which bring so many persons for the first time under the supervision of the police. In the year 1861 the apprehensions in the three towns of Liverpool, Birmingham, and Manchester, were 31,193, and in 1868 they were 52,098, and, whereas in 1861 the number of children apprehended was 1,749, in 1868 it was 3,720. A noble Marquess (the Marquess of Salisbury), for whom we all entertain the highest respect, and whose words, when he sat in this House, were listened to with deep attention, stated the other evening that he did not believe there was so close connection as was believed between the increase of crime and the diminution of education; but the figures which I am about to read by no means confirm the theory of the noble Marquess. In 1861, in the three towns, there were apprehended 1,244 persons who could read and write well, and 11,626 who could not read and write at all; and in 1868 the number who could read and write was diminished to 1,022, and the number who could not was increased to 20,032. The vast increase in the amount of local rates is thus easily accounted for. The total cost of the police force and gaols of Liverpool, Manchester, and Birmingham, has reached the frightful sum of £215,680, or 1*s.* 3*d.* in the pound on the rateable value of the property in the three cities. In the streets of those cities there are 75,000 children — were they in free schools they would cost £70,000 per annum. If these cities spent £50,000 a year out of the rates, supplemented by the ordinary Privy Council Grant, the expenditure would require a rate of only 3½*d.* or 4*d.* in the pound. A sacred proverb reads thus: "There is that which scattereth and yet increaseth;" this would be the sort of expenditure which, even whilst it scattered, would first economize and then increase the wealth of the community.

I have done what I promised in bringing under the notice of the House the number of children in our large cities who grow up in the streets, the ante-rooms of our gaols, and the nurseries which fill our reformatories and industrial schools. Now I come to the more difficult question—"How are we to deal with these children?" I maintain we cannot deal with them through the Factory Act, however widely we may extend its provisions, because they are not at work, and therefore do not come under its action. In Liverpool there are no children under the Factory Act, and but very few under the Workshops Act. In Birmingham, out of 37,000 children, only 6,237 were found at work; and, of the 18,380 children who can neither read nor write, only 2,981 would be affected by the Factory Act, even if it extended to every workshop or every errand-boy. Another visitation showed that, of 14,986 children who were visited, 1,542 were at work as errand-boys and nurse-girls, leaving 13,400 or 90 per cent untouched by the Factory or the Workshops Acts. But the Factory Act was never intended by this House to educate these children. It is a sanatory law, which the good sense and patriotism of right hon. and hon. Gentlemen opposite forced upon us, not as a measure calculated to educate children, but to preserve their health and strength; to protect them from the grasping parents who might wish to sell their young lives by forcing them to work at an immature age. It was never intended to be the means, and it is quite a new idea to look to these labour Acts as educational agencies; no doubt it is very convenient to convert the great manufacturers and employers of labour into a school police; but it cuts both ways, as in large towns, where juvenile labour is very plentiful, half-timers are being gradually dismissed from employment to avoid the restrictions and interference of these Acts. According to the latest Returns furnished to me there are only 87,000 at the outside in all England — there were only 67,000 in 1861 — who come under the provisions of the Factory and Workshops Acts. Other Members will no doubt state that, under the Factory Act, children are receiving a very insufficient teaching, and that even these children are being neglected in an educational sense. The Factory Acts, looked upon as Acts to promote education, are defective in the extreme, and the House may rest assured it is not through their operation that we shall effect the object. Nor yet by the Industrial Schools Act. There are eighty certified industrial schools in Great Britain, and they contained on the 31st December last 5,465 children. They already cost the Treasury £68,000 a year. They are simply charity boarding schools at £18 a head per annum; and no community can afford by such agencies to educate 10 or 20,000 children. On financial grounds, and on grounds of political economy alike, I maintain that industrial schools must be looked upon simply as temporary and palliative measures, as excellent private charities, but to which a State contribution is hardly to be defended; and at the proper time I shall be ready to argue, that, in contributing such a sum as £68,000 per annum for the education, clothing, and maintenance of 5,465 pauper and neglected children, the State is overstepping the bounds of its duty to the honest and industrious taxpayer. These schools are utterly indefensible as a primary means of education. No town, no nation can afford to place in such schools every child whom they cannot educate by other means. Further, those institutions must have a most immoral effect on the honest and industrious poor, who see the children of the intemperate and improvident thus handsomely provided for. I have received letters on this point from the stipendiary magistrates of Liverpool, Manchester, and Birmingham—they are all to the same effect. They say that the Industrial Schools Acts, though absolutely necessary at present, are most extravagant in their operation, and that nominations to these schools are already sought for their children by the poor, as if they were the objects of honourable competition, and not a disgraceful sentence to a pauper prison of children whose parents had failed to do their duty. That is the condition to which we are reducing our people by blinking the great difficulty of dealing with the children in our large cities by legislation of an honest and fearless character. It is to the workhouse and not to the industrial schools that really neglected and destitute children and orphans should be sent. We ought not to have two such systems at work. Education should be kept entirely separate from lodging, maintenance, and clothing. The State can wisely and safely give the one; but to give the other, except through the legal action of the Poor Law, is to pauperize the community. It will be said the industrial schools are necessary because workhouse schools are inefficient, and their inmates imbibe a taint of pauperism from which they never get free. Then let us make our workhouse schools better; but, on any large scale, to extend this new system would be alike extravagant and impolitic. We cannot effect, then, our object by the extension of the Factory or Industrial School Acts, so neither can we attain it by the Bill of the Home Secretary and the Vice President of the Council, compelling the erection of rated schools. That is a great step in the right direction, and I hope that a Bill of that character, based upon those principles, but supplemented by the principle of compulsory attendance, will be introduced, and to such a Bill I will give my most energetic support. But we do not want any more schools. There are 13,182 vacant places in the public Government-supported schools of Liverpool, Manchester, and Birmingham—what we want is scholars, not schools. The Rev. F. Watkins, National School Inspector, Yorkshire, reports—

> "In my district, which in this respect is not behind others, school accommodation is much more, I will not say than is needed, but than is used. In the day schools not 58 per cent of the space provided for children is occupied by them. In other words, the schools are nearly half empty."

Mr. J. G. Fitch, British and Foreign School Inspector, Yorkshire, reports—

> "The figures for the year just ended give 24,174 children in space for 30,391, or 79·5 per cent. The number of scholars in average attendance, however, amounts to less than half of the number for whom there is school-room accommodation; a fact well deserving the attention of those who think that the great problem of public education is to be solved by the simple process of providing good schools in sufficient numbers."

And I might indefinitely multiply this evidence. Neither can the problem be solved by simply establishing free schools. The experience of the Education Aid Societies of Manchester and Birmingham is conclusive on this point; they have tried the experiment of free schools by giving thousands of free tickets which were never used. The Manchester Society has issued 35,000 tickets for school, and every case has been carefully investigated. It shows the apathy and indifference of many parents to education, that in one year 9,000 of these school orders were not used, although the fees in some cases were partially and in others entirely paid. The first year 74 per cent of the school orders were used; the second year, 54 per cent; the third year, 45 per cent; the fourth year, 37 per cent; and the fifth year, when the operations of the society were restricted for want of funds, 60 per cent. At a cost of £7,500 the society has sent some 4,000 children to school during the last five years, but they have only raised the average attendance at the public schools of Manchester by 2,387, thus showing that in many cases they were paying for those who had previously paid for themselves. The experience of the Birmingham Society is similar. It has not limited its sphere of usefulness to the careful collection of such statistics as those I have placed before the House. Following the example of the Manchester Education Aid Society, the Birmingham Society issued in one year 4,729 free school orders, and of those only 3,097 were used, while 1,178 were never presented. This accounts for the increase in the school attendance in Birmingham of 2,987. What is the verdict at which the Birmingham Society has arrived after an experience of three years, and a large expenditure of money? The society says—"By paying the full amount of the school fees, and not calling on the parent to pay any part, we have fully tested this matter, and the general conclusion—the result of actual experiment—seems to be that the poor are divided on the matter of education into two classes — one class prevented by poverty from sending their children to school—these are making good use of the society's free school orders, and are sending their children with satisfactory regularity; the other class care nothing about education, and will take no pains to send their children to school, though the fees are paid for them. The Committee, without affirming the principle of compulsion, are therefore forced from these facts to conclude that this class of children can only be brought under instruction by a compulsory law; and that, in the absence of compulsion, they will grow up in ignorance and vice through the apathy resulting, in a great part, from the ignorance of the parents themselves." This appears to be borne out by the statistics. In this town there were found 9,044 children whose parents could not afford to send them to school, and 10,852 whose parents do not assign reasons for keeping them away. In the former class of cases the test of inability was the non-receipt by the parent of 3*s.* per head per week for each member of the family, exclusive of rent. The Manchester experience is to the same effect: in eighteen districts they found 7,604 children not at school, for whom the parents could have paid in 3,333 cases. By Factory and Industrial School Acts then, and even by free schools supported by local rates, we still fail to meet the difficulty. I believe that the only legislation by which we can deal conclusively with the question is that which will enforce the attendance at school of the children in our great cities. Earl Russell lately moved in the House of Lords a Resolution affirming that every child has a moral right to the blessings of education. Then, if their parents be so ignorant and degraded that they will not claim these blessings when placed within their reach, we, the House of Commons, are responsible to those children for securing to them, at any cost, the privileges of school teaching. It is by that means, and by that means alone, that we can stop drunkenness, and pauperism, and crime, and thus diminish the taxes of the great cities; and this proposition is made to a Parliament in which all classes are represented. In days gone by, it might have been asserted that the wealthier members of the community were legislating for their own benefit in matters affecting those not able to protect themselves. We, at all events, who represent the large towns have been elected exclusively by the ratepayers, we are responsible to them, and it is in the name of a large majority of those ratepayers we ask you to enforce compulsory attendance at school. The House has precedents enough to act upon in this matter. First, the Vaccination Act, by which you compel every child to be vaccinated, and fine the parent if he neglects to do so. Ignorance is more dangerous than disease, and disease is not more contagious than crime. I would rather see a child of mine with the disorder from which vaccination is supposed to protect it, than allow it to be in the streets, subject to the imminent risk of immorality, and the greater moral disfigurement of crime. In the Factory Acts you have again asserted the principle of compulsory attendance at school. You have already there laid down the rule that the child must go to school, but only if he goes to work. Can a greater anomaly be conceived? If the child is already learning the rules of decency, order, obedience, and industry in a manufactory, it shall be compelled to learn to read and write. But if the child is in the streets gaining habits of vagrancy, intemperance, and felony, then, and then only, shall it be free to learn no other lesson. In the Health of Towns Act you have far more largely invaded the sacred liberty of the subject. There is no measure in any country that is so severe in its provisions. I am told by the medical Officer of Health of the town of Liverpool, that, under the Health of Towns Act, he has, and exercises, the power of visiting, through his subordinates, 6,000 sub-let houses—not registered lodging-houses, but sub-let houses—in which two families of working men may happen to live together — at any hour of the day, or any hour of the night, to count the number of persons in each of the rooms, and to see whether the provisions of the Act are exceeded. A Legislature wise and strong enough to enforce, and a people sensible enough on sanitary grounds to submit to, such a measure as that, are a Legislature at whose hands we may ask, and a community that will gladly accept, a measure comparatively so mild and harmless as one to compel the attendance of children of school age at school. And, if we have the power, I take it we have also the right. The right hon. Gentleman now at the head of the Poor Law Board (Mr. Goschen) knows that this question is intimately connected with the difficulties which arise from the vast increase of local rates, and he says that to make education compulsory would only be the natural consequence of the law which makes the maintenance of children compulsory on the community. Mr. Lingen, the highest official authority on the subject of education, compendiously exposed the inherent defects of the present system, when he said that a system of education could not be at the same time voluntary, efficient, and universal. There is a unanimous testimony on this point from almost every quarter. A large number of Members during their canvass and in their election speeches have proposed this measure or commended it, and more than one Member on this side of the House has had to promise to support it before he could obtain the honour of a seat in this House. One might suppose that inspectors of schools would be the last to advocate a measure supposed to be so greatly opposed to the system under which they work, yet, in the last Report of the Privy Council, no fewer than eleven out of the twenty-eight inspectors advocate compulsory attendance in one shape or another as a last resort. Mr. Moncrieff, National School Inspector for Kent, says—

> "I have for years held the same language—that all our teaching was powerless for effective good so long as nothing was done to compel the attendance of children up to a reasonable age."

Mr. Oakley, British School Inspector of the northern counties, says—

> "Without compulsion in some form or other, whether direct or indirect, a number of children will never be educated at all, and of those actually at school a considerable proportion (those who leave for permanent work before they have come up to the exceedingly moderate degree implied by the second standard) will continue to forget everything they have learnt by the time they are twenty years old."

Lastly, I will read the testimony of one whose name will be received with respect and honour in this House. Mr. Matthew Arnold, the Inspector for Middlesex, says—

> "Throughout my district I find the idea of compulsory education becoming a familiar idea with those who are interested in schools. I imagine that with the newly-awakened sense of our shortcomings in popular education—a sense which is just; the statistics brought forward to dispel it being, as every one acquainted with the subject knows, entirely fallacious — the difficult thing would not be to pass a law making education compulsory; the difficult thing would be to work such a law after we had got it."

Then the question I have to answer is—How would you work it out? In the first place, I would build or buy free municipal schools, and plant them like Martello towers against the invading armies of pauperism and intemperance in the poorer districts of all our large towns. They should be supported, two-thirds by municipal rates, and one-third by grants from the Privy Council in case they came up to the Privy Council standard of efficiency; but no grant should be given them unless they came up, in every respect, to State requirements. I would give power to the schoolmaster of each school—whom I would pay by numerical results—by means of a school beadle, appointed by the master, or rather by the Municipal Council of Education, to summon and fine the parents of every child found, after fair notice, in the streets between the hours of nine and twelve in the morning and two and five in the afternoon; and I would do nothing more, because nothing more would be required. Speaking on the authority of the chief constable of Liverpool, and of other men who have studied the subject, I believe that, if you give such simple powers as these to the municipalities of our great cities—if you begin, not with any Permissive Act, but by compelling municipalities to rate themselves, and if you give the power of summoning the parent of any child not at school during school hours — you will soon sweep the streets of the thousands of children now found in them. If you place that power in our hands we shall carry it out and thus fill the schools you have compelled us to erect. With these three agencies, the certified industrial workhouse schools, the free schools, and the present denominational schools, we should approach to a solution of the problem. I may be asked, and I am bound to answer the question, "How would such a proposal touch the existing schools?" For, as the Duke of

Argyll says, in his recent work on *Law in Politics*—

> "Political error springs from the notion that we can arrive at that which ought to be without taking note of that which is."

We have a magnificent system of denominational schools, and by that system we are educating 1,500,000 of our children; and, as has been well said, there can be no doubt that the poorest class have a far better as well as a far cheaper education open to them than the poorer portion of the middle class. This is so; it is offered to them but they do not accept it; and the lower portion of the middle class and the upper section of the artizan class do accept it; and thus the existing schools are largely invaded by a class for whom neither the House of Commons nor private subscribers intended either grants or subscriptions. There is no question on which it would be more difficult to adduce statistics, still less to give names, but every one knows there are a large and increasing number of the well-to-do artizans and the smaller order of shopkeepers whose children attend these schools. As Eton, Harrow, and Rugby, built and endowed for the lower and middle classes, have been invaded by the rich, so the national primary schools have been invaded, and in some instances even monopolized, by classes for whom they were neither intended, nor are they now supported. And the Revised Code, to which I gave my hearty concurrence, has encouraged this state of things, and, by its inevitable working, has rather reduced the numbers of poor and neglected children who attend the national primary schools. The master, paid by results, prefers the well-dressed regularly attending children of a more respectable class, and the cold shoulder is not unfrequently given in the national schools to the very children for whom they are endowed and maintained. On this very ground I am not afraid that these schools will not hold their ground. In the next place the free municipal schools must necessarily be secular schools, because you cannot compel the ratepayers to subscribe for the teaching of a religious faith with which they do not agree. They must be secular, because you cannot compel the attendance of a child at a school where a creed is taught in which its parents do not believe. But this will be at once the very strength and safeguard of the present denominational schools. These schools, as Mr. Lingen says, are the proprietary schools of the religious denominations. They are in fifteen cases out of sixteen—the figures are as 15·49 to 1·25—connected with, often form a part of, the churches and the chapels of various religious denominations, and those who belong to these chapels and churches, and who are now the managers and committees of these schools, will continue to send their children to them, while others of the same class will do so even in greater numbers than now; for a stigma will naturally attach to the free municipal school, and there will be a disinclination on the part of such parents to allow their children to mix with the class of children attending them. There is no greater mistake than to suppose—no hon. Member does suppose—that the working people are all of one class. There are as many different sections, as many social castes, as many political and religious prejudices, among them as there are among those above them; and the well-to-do Conservative artizan, and the small Radical shopkeeper, will continue to send their children to their Church and Dissenting schools, and will send them even to a larger extent than at present. We have a confirmation of this in the evidence given before the Royal Commisson—

> "So far," says Mr. Norris, "from high fees emptying a school, I have found that of the schools in my district — Chester, Stafford, and Shropshire — the most expensive are the most popular."

And instances are given, both by Mr. Norris and by Mr. Cumin, in which the raising of the fees was decidedly popular with the parents, and was followed by an increased attendance of children. In a word, then, I believe that a system of free secular municipal schools and compulsory attendance, far from doing any damage to, would give a great impetus in our large towns to the system of denominational schools; I believe that parents who now send their children to paying schools would not only continue to do so, but would send them in larger numbers, and pay higher fees; and thus, without injuring the existing schools, you would have solved the difficulty of insuring the blessings of education to the whole population.

In conclusion, I have endeavoured to show the necessity for inquiry; to prove that the community desires, and that the Legislature has the right, the power, and the authority of precedent, to compel the education of the children for whose welfare it is responsible. I have endeavoured briefly to allay the fears of those engaged in an excellent but inadequate work. I have now but to thank the House for the courtesy and attention with which they have listened to a dull and dry statement. 3,000 years ago it was written in the Talmud, that—"By the breath of the school-children shall the State be saved." I believe that the converse of the proposition holds good to-day. There is no cloud so dark and dangerous in our political horizon, no blot so foul upon our social system, no stain so deep upon the Christianity which we all profess, as the existence of the 75,000 children of whom I have spoken, and of perhaps 500,000 children of whom these 75,000 are the type, who are growing to man's estate to be a curse instead of a blessing to the community in which they live — to be a cause of poverty, instead of a source of wealth, to the nation that has given them birth. The hon. Member concluded by moving his Amendment.

MR. DIXON, in seconding the Motion, said, that, after the very explicit declaration of the Government that legislation on this question was impossible this year, he felt most anxious that the House should, at any rate, do something towards preparing a basis on which legislation might take place next Session. The statistics which had been so profusely quoted by his hon. Friend (Mr. Melly), although they seemed to be based upon an authority which ought to be sufficient, were in many cases utterly denied. He (Mr. Dixon) proposed to confine his remarks almost exclusively to what had taken place in Birmingham under the auspices of the Education Aid Society, which was established there. Last Session the noble Lord the then Vice President of the Council (Lord Robert Montagu) made some disparaging remarks with reference to that society. He hoped that further reflection and information had induced the noble Lord to regret those aspersions, for the society was composed of all the leading men in the town—men of all sects and parties, who represented the activity and life of the town, and their statements had been before the public for twelve months, and had not, to his (Mr. Dixon's) knowledge, been in a single instance controverted. Indeed, an able and laborious school inspector, Mr. Capel, whose opinion he had asked in reference to the facts laid before the country by the society, had authorized him to say that, so far from having over-stated, they had understated the facts of the case. There were at present about 83,000 children in Birmingham, and, deducting one-third for those whose parents were able to pay entirely for their education—an ample deduction—there remained 55,000 children of the working classes—that was to say, of the class that might be supposed to frequent, or ought to frequent, the elementary schools of the country. The first effort of the Birmingham Education Aid Society was to ascertain the number of the children at the schools, and from a return furnished by the managers and masters to their visitor, they found that only 19,500 children were present there at one time. The Returns of the Committee of Council gave only 13,000 as the number in the inspected schools, and therefore they had 6,500 that were in schools of a more or less inferior description—some of them so inferior that it was doubtful if any education of value was given in them. If he added to the number he had mentioned the workhouse and charity school children, he should probably get a total of 21,000 in the schools out of 55,000, leaving 34,000 who were not at school at all—so that about 36 per cent, or little more than one-third of the children of the working classes in Birmingham, were ascertained to be in schools at the same time. Further investigation would show that the upper portion of the working class sent their children to school in a much larger proportion than that, but the other part, or the lower stratum of the population in the large towns, scarcely sent their children to schools at all. The houses of the parents of more than 45,000 children were visited, and the visitors of the society ascertained that only 42 per cent of these children between the ages of three and thirteen were acknowledged by their parents to be at school; and, as they had reason to believe that the parents had given a highly-coloured description of the state of things, he was inclined to believe that their statements might be taken as a full corroboration of the returns from the schools. He wished to ask the House whether there was any sort of good reason why boys in large towns between the ages of five and eight should not be at school? If they were not at school they were sure to be in the streets, and yet it was found that, according to the statements of the parents, only about one-half of the children between these ages were at school. He would defy anyone to put forward any excuse which could palliate the grievous wrong thus done to those young children. Not satisfied with those two modes of inquiry, the persons conducting the investigation ascertained from the families of the young people that, out of 7,000 young persons between the ages of fourteen and fifteen who had left school, only 50 per cent could honestly be declared able to read and write. Being desirous of gaining still further particulars respecting the real state of the education of young persons between the ages of thirteen and twenty-one, the Education Aid Society fixed upon Mr. Long, the second master of a training school near Birmingham, to procure the necessary information; and that gentleman went to the factories and selected for examination 529 males and 379 females, who in his opinion might be taken as fair samples of their class. He examined them, and reported that, of reading and writing, nearly one-half of the number knew nothing or next to nothing; that in arithmetic and general knowledge more than three-fourths failed, or nearly so; and only one-twentieth showed anything like a satisfactory degree of attainments. The Government should verify these facts, and give the stamp of official sanction to the society's declaration as to the state of education in Birmingham, and, he might add, in other large towns. The result of the examination of Mr. Long was this — that out of all these young persons examined there were only 4 per cent, or one in twenty-five, that attained the fourth standard and passed in reading, writing, and arithmetic. Was the education of the working class advancing, or was it retrograding? Recently he saw a statement made by a society in Manchester, that after thirty years' voluntary efforts, education in that city had actually gone back as regarded the proportion of children actually at school. He could not say whether that was the case, but he knew that in Birmingham, in 1857, 42 per cent of the children between the ages of seven and thirteen were at school; in 1867 the number did not exceed 44 per cent. That showed an advance of 2 per cent; but he was inclined to believe that the investigation in 1857 was more searching than the later inquiry, and that consequently the advance of 2 per cent was rather nominal than real. In all towns there appeared to be an increasing mass of children left untaught, and for whom the existing system did absolutely nothing. The principal visitor of the Birmingham Education Aid Society expressed his belief that 6,000 or 7,000 of the 34,000 children not at school in Birmingham belonged to families whose average earnings per week did not exceed 2*s.* per head. Now the cost per head per week in the workhouse for food only was 3*s.* per week. How did the families of these 6,000 or 7,000 children live? He had asked that question of a working man, and the answer was, "They don't live, Sir, they starve." It was this class which served to raise the fever-rate and the death-rate. He was told that there were 1,000 of these children unable to go to school for want of clothes. What were the educational agencies at work in these large towns to meet and overcome that horrible state of things? He admitted that the Industrial Schools Act was a beneficial measure, but under it only a small portion of the neglected children could be taught. There was another Act which ought to have effected much, but which had done nothing—he referred to the enactment known as Denison's Act. In 1866 he applied to the Board of Guardians to know the number of children belonging to out-door paupers between the ages of four and ten, who were not attending school; and he found that there were 1,521, the whole of whom ought to have been at school, if the provisions of the Denison Act had been properly carried out. The Birmingham Education Aid Society implored the guardians to put Denison's Act in force, and yet there were at that moment 1,893 such children as he had referred to, between the ages of four and ten, for whose absence from school there was no sort of excuse, and after all the efforts that had been made only 10 per cent of those children attended school. Great hopes had been based on the operation of the Factory Acts, but in many cases the result even of carrying them out most perfectly would be insufficient; and he thought that those who looked for much from them would be disappointed. It was said—though he did not endorse the calculation—that only 7 per cent of the children in Birmingham could come under the operation of the Acts, if fully carried out. Mr. Baker, one of the inspectors, estimated the number of children in factories in Birmingham employing upwards of fifty hands, before the Act came into operation, at 3,000, and there were only now 234 at school. The effect of the Act had been that the manufactories had been emptied of children, but the schools had not been filled. With respect to the work which had been done by Government, there were 13,000 children in the inspected schools —and although he was not satisfied with their education, it was certainly the best they could obtain under the present system. The number of children attending those schools was only progressing at the rate of 1,000 per annum, and the increase in the number attending inspected schools did not necessarily mean an increase in the total number of scholars, because many were merely transferred from uninspected schools; and it would be impossible that we could feel satisfied to wait until the whole of the 34,000 had been gathered in by the existing system. The Education Aid Society had tried to effect that laudable object, and by paying the whole of the school fees they brought in about 5,000. But the society was based on voluntaryism, which was a weak reed to rest upon, and now they sent but little over 2,000 to school. They had implored the town to come to their aid, but there was little hope of their being able to do more than just keep up the present number. He had been asked to beg of a Minister of State to visit Birmingham, and attend the society's annual meeting, in the hope of thereby attracting a large audience and drawing a considerable sum of money out of their pockets. What the society now got came from a hard working and over-taxed few, who were ready to make sacrifices for the benefit of these poor children, but who found their resources insufficient to meet the increasing demands made upon them. Were this Committee granted, he anticipated that the investigation of facts and figures would lead, even in the present Session, to legislative measures of practical and immediate value. The Industrial Schools Act, to which many said they might have recourse, had been carried out in some places, but in most others it remained a a dead letter. There were many who agreed with him in thinking that it, as well as Denison's Act, ought to be made compulsory. Why should they not say that with out-door relief should go education to the children of the recipients? It would, no doubt, increase the cost and burden upon the ratepayers, but only for a time; and they would speedily obtain a full reward, not only in the blessings that would fall upon the children, but in the saving of charges on the rates. He agreed with the hon. Member for Stoke-upon-Trent (Mr. Melly), that, if we were to have a real and effective effort made for the purpose of grappling with this great mass of ignorance in our large towns, we must no longer rest on the system of voluntaryism or its twin sister denominationalism. That system would not reach the masses in those great and populous districts. It had been proved over and over again in our large towns that it was unequal to the task. If they desired to make education a reality, and to diffuse its blessings generally throughout the country, they must remove its basis from the methods of voluntaryism to the taxation of the country, and he believed that what was required might be provided almost at once. It was not necessary that they should interfere directly with existing schools, but that they should direct their eyes to the destitution which existed, which had not been reached, and could not be reached by any other plan than that of State support. Could the new Parliament, elected largely by working men, permit the continuance of a state of things dangerous to the prosperity of the nation, which working men regarded with the greatest apprehension, and for the removal of which they were willing and anxious to make any sacrifices which the House could call upon them to make? Of course it would be necessary that the schools to be provided by the ratepayers should be unsectarian, for the time was gone by when the money of the State could be applied, directly or indirectly, to religious education, and what was occurring with regard to Ireland showed that dogmatic and religious teaching was a matter which the State ought not to interfere with. He had never heard a difficulty started by working men in opposition to compulsory education. During the four months of the great contest at the last election in Birmingham, he never attended any meeting when the question of education was referred to, at which the opinion was not loudly expressed that compulsory attendance at schools was required. As to the hardship of carrying it out, how should the working man feel it, when they submitted voluntarily to hardships that were far greater, obeying their trades union committees, and striving in thousands for weeks and months, upon half rations, to carry out the objects they deemed right? In doing this, they did what was incomparably more difficult than that which would be asked from them under such a plan as was proposed. Had they not submitted to the burdensome operation of the Factory Acts which, by one stroke of the pen, deprived thousands of families who were already on the brink of pauperism of the very means of keeping their heads above it? Could they want more illustrations of how much these men would bear, when they were told that, by the operation of one clause of the Reform Act of 1867, no less than 15,000 summonses and 5,000 distress warrants had been taken out in one town, indicating an amount of suffering which could hardly be conceived? Those who had before them a prospect of the education of thousands of children, now neglected, and growing up in the nurseries of pauperism and crime, would respond with unanimous enthusiasm to the call made upon them, and say—"Give us a measure which may be enforced by the arm of the law, against those who would oppose the rescue, through its salutary operation, of these poor innocents from a life of possible degradation and crime." He had no doubt himself that they would find it was the best and wisest course to make those schools for destitute children free schools. The difficulty would no doubt be great, but the result also must and would be great. All those children who were now in the denominational schools of the country—schools which undoubtedly had done great good—were in reality charity children, for were the assistance at present afforded by the rich withdrawn, the schools would vanish from the face of the land. He had often said himself that, if he were a working man, he should be ashamed to send his children to a charity school, though he would be glad to do so to an independent school maintained out of the taxation of the country, to which he contributed his fair share, and in the management of which he had some voice. He had been returned to that House to represent there more than one-third of a million of people, and in the course of his canvass he had found three sentiments uppermost in the minds of the working classes—a desire for justice to Ireland in the disestablishment of the Irish Church; justice for themselves in the abolition of the ratepaying clauses; and justice for their children in the extension and improvement of national education. He believed he owed his election to the feeling that, if returned, he would do what he could to place their claims before the House. With that responsibility, he appealed to Ministers to take up this great question without delay, to give it their full and serious consideration, and to let the country, know at as early a period as possible, what were the principles on which their measures would be based, in order that they might receive ample criticism, and, when necessary, modification. He would ask them to be courageous in their measures, and look to their effect upon those whose children would be benefited. When those who had now political power placed in their hands for the first time wished to use it in the greatest and noblest work in which they could be engaged, and when, on the other hand, dangers of the most formidable kind were to be apprehended from neglect of their demands, he hoped Ministers would see that their just and reasonable expectations should be fulfilled.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the state of Education in the great Provincial Towns,"—(*Mr. Melly,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. FAWCETT said, that, in asking the House not to grant this Committee, he hoped it was not necessary for him to assure the hon. Gentleman by whom it had been proposed, that he (Mr.

Fawcett) made the objection in no spirit of hostility. He agreed in the main with the opinions expressed by his hon. Friends who had brought the subject forward; his object was the same as theirs, and the only difference between his hon. Friends and himself was that, they thought that granting the Select Committee would promote the education of the people, whilst he thought that, if it had any effect at all, it would most probably retard legislation on the subject. It had been his duty on more than one occasion to object to the growing frequency with which Committees were granted in that House. Great and often unnecessary expense was thereby incurred, and this was by no means the worst evil. His experience in that House had shown him that a Committee often enabled the Government to shift responsibility with regard to important questions from its own shoulders to those of the House. No Committee could ever do good, unless it took evidence on both sides; and the speeches of the two hon. Gentlemen made it abundantly evident that it would be impossible for a Select Committee to investigate the enormous mass of materials which they had brought forward. He thought the Government had in their hands abundant matter to enable them to frame a comprehensive scheme of national education. They had the Report of the Duke of Newcastle's Commission, which made its inquiry in 1861; and he had no hesitation in saying that a more complete and exhaustive investigation than was made by that Commission had never been carried on by any Commission or any Committee. But, in addition to that Report, they had the annual Reports issued by the Privy Council, the Reports of the inspectors, and also the investigations of two or three Select Committees. He, therefore, hoped that the Government would not grant this Committee. He would ask his hon. Friends to consider for a moment what must be the result, if their Motion were agreed to. The Committee must take evidence in support of the various views put forward on national education; and it would scarcely be possible for them to close their inquiry and make their Report before the close of the present Session. If they did not, and the Government attempted to legislate at the beginning of next Session, it would be said to them—"You appointed a Committee which has not reported. It is unfair, therefore, of you to talk of legislating on the subject." He hoped, therefore, the Government would say, in reply to the Motion of his hon. Friends—"We have enough of information at hand to enable us to legislate next Session. If we find that any of the facts on which we intend to rely want verification, we shall send down competent officials to the particular locality respecting which inquiry is necessary, and there have an investigation on the spot." He agreed with his hon. Friend in thinking that national education was one of the greatest of all questions that could be considered by Parliament. The Commission of 1861 reported that, under the system of grants from the Privy Council, we never could have an effective plan of national education. One of the great objections to that system was that under its operation the wealthiest parishes sometimes received the largest share of the grants, and that the poorest sometimes received no aid at all. According to the latest Returns, out of 14,800 parishes, 9,700 did not receive one farthing of assistance from the Government. That grave defect of the system arose, he believed, from the rule adopted, and perhaps necessarily adopted, by the Privy Council, that no parish should receive any assistance unless it was already provided with the comparatively expensive luxury of a certificated teacher. Another evil connected with those grants was that in rich parishes, where superior school buildings were erected, and where the schools themselves were munificently maintained, a class of children found their way into the schools for whom national schools were never intended. Since the Commission of 1861 reported the educational problem had become simplified. At that time a powerful party—the voluntary party, led in that House with so much ability by his hon. Friend the Member for Leeds (Mr. Baines)—had to be conciliated; but since then that party had found that, in politics, there was no general rule without an exception, and with admirable frankness they now admitted that, by voluntaryism, we could not educate the most neglected class of our children. It had been said that things were improving, and that if we only let our present educational agency go on for a few years longer, the country would become sufficiently educated. He would only say that, in England, no inconsiderable portion of the population could neither read nor write, while in Prussia, Saxony, and the New England States, it was rare to find a child who had not the rudiments of knowledge. In London, he believed, something like one-half the children who ought to be at school were not at school; and the same thing was said of Manchester and other large towns. It would be said that, in 1867, the compulsory provisions of the Factory Acts were extended to every branch of labour except agriculture. He admitted that this was so; and he was willing to admit also that, after the Reports of the Commissioners, who had inquired into the condition of the children employed in gangs at agriculture, it was in the highest degree probable that those provisions would be extended to agriculture. There would be something in that argument if all the children of the school age, who were not at school, were at work; but on this point there had been some appalling discoveries within the last few years. He was yesterday reading a speech of his hon. Friend the senior Member for Manchester (Mr. Bazley) who stated his belief that in that city more than one-half the children who ought to be at school were neither at school nor at work. That assertion was verified by a house-to-house visitation. Out of 11,000 such children, it was found that 5,200 were either at school or at work, while 5,800 were at neither. It would appear, therefore, that in Manchester — and, no doubt, it was the same in other places—the largest proportion of the children whose education was now neglected could not be got at by even the most rigid application of the Factory Acts. Again, though he was as much in favour of those Acts as anyone could be, they had this disadvantage, that undoubtedly they were an interference with the employer; and it was found in many cases that, rather than put up with this interference, employers tried to get rid of children's labour. Consequently it often happened that a number of children were dismissed from employment by reason of the Factory Acts, while the ignorance or poverty of the parents prevented their being sent to school. But if compulsory attendance at school were enforced in the case of all children, then those children who were now dismissed from labour would not be driven into the streets, but would be sent to school, and, at any rate, they would derive a great advantage from such a change in the law. Those who subscribed most generously in aid of the voluntary effort were the very men who were now coming forward to say that it was impossible to have a satisfactory system of national education founded on that plan. He had received a letter yesterday from the Secretary of the Manchester and Salford Educational Aid Society, informing him that in consequence of the falling off in the amount of the subscriptions which that Society had lately received, they could afford aid to only 4,000 children at the present time, whereas they formerly assisted 10,000; and that where they formerly gave 4*d.* they could now only give 3*d.* or 2*d.*, and where they formerly gave 2*d.* they now only gave 1*d.* The letter further stated that the educational efforts of the society were to a great extent frustrated by the indifference of the parents, an assertion that was supported by the significant fact that during the past year they were compelled to dismiss 1,500 children who were receiving aid, in consequence of their irregular attendance at school. What was the remedy for this indifference on the part of the parents to the advantages which were offered to their children by means of education? The House would recollect that in 1867 the right hon. Gentleman the Secretary of State for the Home Department and the Vice President of the Council introduced a Bill for permissive rating, but the lapse of twelve months showed them that they had not advanced far enough on the right road, and consequently their Bill of 1868 was a measure for compulsory rating. He earnestly hoped that still further advances would be made, and that when the subject was again dealt with compulsory rating would be supplemented by compulsory attendance. He was certain that a Bill for compulsory rating alone would not meet the educational requirements of the people, and he believed that the country would never accept of a compulsory rating Bill which did not contain a provision for compulsory attendance. No one could say that the popular ignorance was attributable to a deficiency of schools, because the facts that had been brought forward that evening completely refuted that notion. He, however, by no means wished to be understood as saying that there were no districts where schools were not deficient, or that there were no places where the erection of more schools would not be a boon to the surrounding neighbourhood; but what he meant was that in every town and in every village in the country there was more school accommodation than was made use of by the children residing near it. He could point out village after village with which he was acquainted in which the schools were sufficiently good, but where the education given in them went for nothing, in consequence of the removal at an early age of the children who, when grown up, were unable to read or write with facility. Those children who remained and availed themselves fully of the educational advantages offered to them were the children of small farmers and tradesmen, whose parents could afford to pay for their education. It was the ignorance, the poverty, or the selfishness of parents which was the cause of their indifference to the education of their children. Some were too ignorant to appreciate the blessings of education, others were too poor to deprive themselves of the extra shilling or two that their children could earn for them; while others were so selfish that they would ruin their children and cast upon them the blight of ignorance sooner than surrender the earnings of their children, which they spent upon tobacco or gin. But then, it was asked, would compulsory attendance effect the object they had in view? He believed that no remedy would be found for the defects of the present system until the State recognized the great principle that it was as much the duty of a father to provide education for his children as to provide food and clothing for them. While deprecating as much as anyone Government interference with individual action, he thought that, when a clear and distinct duty which the parent owed the child was neglected, the State became the natural protector of the child, and was bound to interfere in its behalf. It had been objected that such an interference with the rights of the parent would be un-English; but that argument had been set aside twenty years since, when the compulsory education clauses in the Factory Acts were passed. A short time since the Vice-President of the Council said, at Manchester, that as we had not scrupled to force compulsory education upon children who were at work in the factories, we should still less scruple to force it upon those who were not at work. Those were words of happy omen for the future, because he thought that the right hon. Gentleman was of too robust a nature for his opinions upon the subject to be altered by official life. A few days ago the Sheffield Town Council passed a resolution in favour of compulsory education, and there was no sentiment which was received with half such enthusiasm throughout the country as a firm determination to support compulsory national education. It was then objected that compulsory attendance was all very well in theory, but that it would not do in practice. But who was it that raised that objection? Certainly not those who would be affected by the change; it did not proceed from the working men. Had the system of compulsory attendance been found impracticable in Prussia, in Saxony, or in the New England States? The proposal did not emanate from *doctrinaires* or from political dreamers, but from the practical hard-headed men of business of the north of England. It was further objected that the adoption of a compulsory system would destroy voluntary zeal, but had the Poor Laws destroyed voluntary zeal for the relief of the poor? On the contrary, it had been recently ascertained that no less a sum than £5,000,000 annually was contributed voluntarily for charitable purposes. One reason why he was anxious to press upon the right hon. Gentleman the Secretary of State for the Home Department and upon the Vice President of the Council the necessity for combining compulsory attendance with compulsory rating was that the rating question in this country was every day assuming greater and a more serious importance, in consequence of the rates in many districts having attained the maximum amount to which they could be raised. Under these circumstances it would be impossible to induce people to assent to an increase in those rates for any purpose, unless it could be proved that such increase would lead almost immediately to their reduction. If a compulsory rate were sanctioned without compulsory attendance being enforced, what security was there that, when the rate had been levied and schools built and supported by it, neglected children would go into those schools? Judging from the experience of Government Grants to schools, was there not rather reason to suppose that the schools would be to a great extent used by those who ought to pay for their own education? But compulsory attendance once facilitating the education of children now neglected crime and pauperism would infallibly be diminished, in spite of what had been said by certain dignified persons in "another place;" for the country would never listen to the degrading doctrine that there was no connection between crime and ignorance. This argument would not fail to commend itself to the ratepayers, heavily burdened as they might be at this moment—"Bear the educational rate for a short time; it will eventually lead to a diminution of crime and pauperism, and, with the reduction of these, the burden of local taxation will also be sensibly diminished." Hon. Gentlemen opposite might probably contend that there ought to be no fresh additions to local taxation until the system itself, than which, he admitted, nothing could be worse, had been adjusted. If they would accept a suggestion from him, it would be that education and pauperism ought both to be regarded partly as a local and partly as a national charge. This he said, believing that localities were not separately responsible for the poverty and ignorance existing in them, the causes by which these were produced being partly local and partly Imperial in their nature. The religious difficulty he did not regard as insurmountable, for the people of this country were beginning to resolve that sectarian feelings should no longer stand in the way of education. He did not wish to introduce irreligious education, and there was no wish to do anything antagonistic to denominational schools; but, as practical men, they knew that schools which were supported by rates must be entirely undenominational. Those who preferred denominational schools would be free to establish and support them, and if any district liked to have denominational schools, it might altogether escape a rate if a Government inspector reported that it was sufficiently provided with schools. As to the advance of education generally, he would only remark that each year competition with foreign countries was becoming keener and closer, and English industry must succumb in the struggle if other nations had educated labour and we had not. Let the House reflect how ineffectual our vast material gains of late years had been to effect any marked improvement in the moral condition of the people. Free Trade had been established; the Corn Laws had been repealed, there had been an enormous development of our railway system, our exports and imports had trebled, and yet pauperism was ever coming upon us with giant strides. Pæans were sung over our growing trade, and yet, from a Return issued by the Poor Law Board not more than a month ago, he saw that during the last nine years the amount expended upon outdoor relief in the metropolis had increased by 130 per cent. Was not that a portentous fact? The more they spent in the relief of pauperism the more pauperism seemed to increase. Why not try to reverse our policy? Pauperism seemed now to feed upon the bounty of the State. Like unthrifty husbandmen, we permitted weeds to be sown and to grow up with the corn, instead of attempting to destroy the seeds of future evil. Compulsory education, if established, would only be required for a single generation. Let the nation once be really educated, and then they could do without a compulsory system. Mr. Mark Pattison, one of the Commissioners of 1861, who officially visited the Continent, said, speaking of Germany—

> "Schooling there is compulsory only in name. The school has become so deeply rooted in the social habits of the German people that, if the law were repealed to-morrow, the schools would continue to be as full as they are now."

That extract was taken from the speech of his right hon. Friend the Secretary of State for the Home Department, who yet declared soon afterwards—"You who wish for compulsory education are striving after that which is Quixotic and impracticable." He could only reply that the political events of the last few years ought not to frighten anyone from striving after that which was Quixotic and impracticable. Household suffrage was once a point of the Charter, but it became a triumphant political cry. Though young in political life, he could remember when the disestablishment of the Irish Church was regarded as a dream, and its disendowment as a mere piece of visionary enthusiasm. Twelve short months since the Ballot was never mentioned except to be treated with official ridicule. Now, the question had passed below the Gangway to the elevated region of the Treasury Bench. So it would be with education. If its advocates had truth and right on their side, all they need do was to persevere—and some were prepared to do this—to work hard in the House, and harder still out of it. They had everything to encourage them. The growth of public opinion on this question had been so rapid, so extraordinary, that he would venture to predict that before many years were past no Government, whether Radical, Whig, or Conservative, would be able to appeal to the sympathies of enfranchised artizans unless that Government was prepared to exert all its influence in support of compulsory national education. He would move, as an Amendment to the Motion—

> "That, in the opinion of this House, it is inexpedient to grant the proposed Committee, because the Government has at its command the information necessary for the framing of a comprehensive measure of National Education; and this House is further of the opinion that it is most important that such a measure should be introduced with the least possible delay.

MR. ADDERLEY said, that amongst the educated classes of the country there was no dispute as to the fact that the present state of national education required to be improved. The only dispute was as to the best mode of effecting that object. He, for his part, could not quite agree either with the proposition contained in the Motion before the House, or in the Amendment of the hon. Gentleman who had just sat down. He could not think that they wanted the Inquiry which was moved for by the hon. Member for Stoke-upon-Trent (Mr. Melly), nor was he so sanguine as to think with the hon. Member for Brighton that they were in the way of immediate legislation. Having had the great advantage of three able and useful speeches, the House might as well pass on to the other Orders of the day. He wished, however, to congratulate the hon. Member for Stoke-upon-Trent on his earnest and eloquent speech, which showed that his heart was thoroughly in his work. He was glad to welcome such a recruit to the ranks of those who were devoting themselves to so important a cause. There could be no doubt as to the statement of the hon. Gentleman the Member for Stoke-upon-Trent, that large numbers of children were, in all our great cities and towns, running idle, and that meant really being trained for crime. The hon. Gentleman had admitted, however, that there were a great number of vacancies in the existing schools. This fact showed that many of the children who were idling about the streets were not unprovided for, but were absentees from the existing schools, and only wanted to be made to enter them. In asking for compulsory powers with regard to those children, as he had done, the hon. Gentleman was not asking for that which his Motion asked for, but merely for extended police powers; and his argument rather applied to the Habitual Criminals Bill of the Government than to an extended scheme of education. The police powers he really asked for would be no novelty, but had been granted in the Industrial Schools Act, and he seemed only to wish that children of the class he had described should be similarly compelled to attend the elementary schools of our large towns, just as the children of a very kindred class might now be compelled to attend the industrial schools. What sort of inquiry would the Committee, the hon. Member desired, have to pursue? To him (Mr. Adderley) it seemed that the House had already had an abundant, if not an excessive amount, of inquiry on that subject; and he thought it would be almost an abuse of the system of inquiry to go on year after year investigating the same subject, even precisely the same branch of the subject, and filling their Library with acres of folios containing evidence which had been repeated ten times over. There were several inquiries before the exhaustive inquiry made by the Duke of Newcastle's Commission. There had since been the inquiry by the Committee of his right hon. Friend the Member for Droitwich (Sir John Pakington), which sat for two years, and presented two folio volumes of evidence. Another Committee, moved for by the hon. Baronet the Member for South Devon (Sir Stafford Northcote), had since sat. Besides inquiries by Committees, there had been a number of Bills introduced to deal with this particular subject. There was a volume of unpassed Bills in the Library. There was the Manchester Bill of 1850, which he had himself introduced as a hybrid Bill, and on which there was the longest debate that ever occurred on a local Bill—lasting from four o'clock until midnight. He had never ceased to regret that this Bill did not pass, for he thought then, as he thought now, that the question could not be more satisfactorily dealt with than by allowing large towns which were willing to try the experiment by taxing themselves, and give the country the benefit of the result of the experience thus gained. Next came the Bill of his right hon. Friend the Member for Droitwich (Sir John Pakington), the Borough Bill of Lord John Russell, and Mr. Cobden's Bill. Besides these Bills various Resolutions had been passed by the House. All this proved that if the House had not made up its mind how to act, it had, at least, before it the materials for so doing. The hon. Gentleman, moreover, was positively asking the Government and the Opposition to stultify themselves, because the present Home Secretary had introduced two Bills, and the Duke of Marlborough had, as President of the Council last year, introduced a measure in the House of Lords, including clauses expressly on the subject of these very children. The hon. Member asked these Ministers and ex-Ministers to affirm by his Motion that these Bills had been introduced without sufficient information or inquiry But while a Committee was inexpedient, some measure was doubtless required. He had himself wished to call the attention of the House to the subject this Session, and to move a Resolution, but the Secretary of State for the Home Department having announced that the Government had their hands full of other subjects, and, besides, were introducing Bills relating to education, had almost precluded themselves or any individual Member from introducing any general measure on the subject this Session with success. The Government had not only other public measures on hand, but they were about to propose two important measures which were distinctly preparatory to a general measure of education. The first was a very wide measure on school endowments, and the country would reasonably say, "Prove that you have made the best use of the funds you possess before you ask for more." The next was the Bill on the subject of Rating, and the House would not be able to debate the various proposals for aiding national education until they knew on what basis the incidence of the proposed taxation was to fall. For himself, he had come to the conclusion that soon after these preparatory Bills legislation on the general subject was not wanted. The existing system had not yet been carried out to the utmost extent. It would be far better, at least, to try to do so than to have a complication of two systems, one of which would be in the way of the other. The matter might, he thought, be dealt with by further Minutes of Council. He was glad to find that the hon. Gentleman the Member for Stoke-upon-Trent in his speech did not contemplate the constitution of anything like a new class of schools, because it was rather the tendency when a want was discovered to provide a new remedy instead of making the most of what existed. Nothing could be worse than the needless multiplication of different kinds of State-aided schools. The number of classes of such schools in this country was, in his opinion, already excessive. There were schools for the poor generally, aided by the State; there were reformatories, industrial schools, and pauper schools, besides art and science schools. He thought they had already made a needless distinction between the reformatory and the industrial schools, which were really intended for the same class of children—the idle and those who had committed a theft were only the bud and the fruit of the same tree. The evils of such a distinction were three-fold. In the first place, by treating the industrial schools as schools for honest children they treated the reformatory schools as penal schools. Now, a reformatory ought never to be considered as a penal institution at all. The child was punished in prison, and then the State undertook to make up for the neglect of the parents by giving the child the education they had neglected to give him. It was monstrous to treat a child penally for six years, or during all his childhood. Another evil of this needless multiplication of schools was that schools became divided among so many different Departments of the administration that the House could not obtain a comprehensive view of what they were voting in the way of education, and never knew what they were undertaking. They looked into the Estimates and saw so much charged for primary schools and so much for fine art schools; but that was only a small part of the public funds devoted to schools. There were pauper schools under the Poor Law Board; the reformatory schools were placed under the Home Secretary, as if they were an affair of police; while others were under the control of the Committee of Council on Education. He contended that all aided schools ought to be placed under the management of one central educational department. He had long advocated that view, and he was glad to find that the House was beginning to be of the same opinion It would be a most material improvement if all the educational institutions to which the State contributed were brought under that one Department over which the right hon. Gentleman the Member for Bradford, (Mr. W. E. Foster) presided. That was a very good reason against any new kind of schools. What, then, did the hon. Member for Stoke want?

Mr. MELLY explained that he had already said he wanted free municipal schools, supported out of rates and with no religious education given in them, as supplementary to the denominational schools now existing and supported by voluntary contributions.

Mr. ADDERLEY said, he apprehended these were merely accidental features of the system. What he understood the hon. Gentleman really to want was a larger number of elementary day schools in towns. How they were to be supported, or how administered, was a different question. The subject had been dealt with in every Bill that had been introduced, by every Committee and every Commission, and was to be found in every Report. It might be dealt with by the House in the shape either of a Resolution or a Bill. The question was, should they supplement the present system by local rates? His opinion was, they should try to carry out the Treasury Grant system more efficiently. He was not ready till that had been fairly tried to propose any supplement from the local rates. It was another question—whether the denominational system had failed, and whether a purely secular system should be substituted for it. That question also might be dealt with in a Resolution or a Bill. He confessed he should wish to see the denominational system further carried out. It had not been completely successful, but it had done wonders. Its success was increasing, and by the zeal exhibited in its support, he thought it might be carried out so as to complete its work. In his speech, made a few days ago, Earl Russell seemed to think the denominational system must be abandoned; that the voluntary support on which it was based had failed; that it had thrown the work too much on the clergy and the ministers of religion; and that the burden it imposed was a very unequal one. To make the system more efficient he said we must allow the State to take more power, and he referred to the example of Ireland, where the State gave, not as in England 60 per cent, but 93 per cent. The State being so large a contributor could deal more peremptorily with the question. But, after all, in Ireland the system had practically reduced itself to the denominational system. The Roman Catholics and the Protestants had each schools for themselves. Therefore he did not think the argument of the noble Earl was borne out by his illustration. He thought it would be well to try a little longer whether tue Trcasury could not supplement the denominational system, at the same time stimulating the private effort which it encouraged throughout the country. With regard to the Motion of the hon. Member for Stoke-upon-Trent, he thought the hon. Member had made a wise distinction between town and country. He understood the hon. Member's Motion to refer to those large towns where numbers of children were left neglected in the streets. There the hon. Gentleman was right. The hon. Member had given them the statistics of four of the principal towns, and he (Mr. Adderley) thought these towns might advantageously be dealt with in the first instance. The reason why Scotland had gone so long without an Education Bill, or receiving its fair share of the Treasury Grants, was that the proposed Bills attempted too much by embracing the whole country. The old endowment of the heritors' tax provided for the counties, but the towns required a different provision. This was the difficulty, and if a Bill had been introduced for the larger towns, it would long ago have passed. He wished the hon. Member for Stoke-upon-Trent and the hon. Member for Birmingham (Mr. Dixon) would introduce a hybrid Bill—

it was not yet too late in the Session—for the purpose of enabling those two great towns to show the way, and to rate themselves for elementary day schools. He believed those towns would be ready to avail themselves of such a power, and of the experiment thus made the rest of the country might take advantage. The rest of the proposition was to give the power to the police to take vagrant children from the streets and convey them before a magistrate, and, unless reason were shown to the contrary, to send them to school, charging the parents or guardians for their schooling. That proposition had nothing novel in it, and might be contained in a very short Bill. It would simply apply to elementary day schools a power already given to the police in the Industrial Schools Act. He did not think upon the whole that the House ought to consent to any further inquiry.

MR. BUXTON said, he certainly could not agree with his hon. Friend the Member for Brighton (Mr. Fawcett) that the country was ripe for the revolutionary change in our educational system which he advocated; but he was not sorry that his hon. Friend had brought before the House that broad question which was agitating the minds of all those who took an interest in the well-being of the people—the question whether they should retain the present educational machinery; whether they should preserve their voluntary system; or whether they should copy that system of the compulsory attendance of children combined with the compulsory maintenance of schools which prevailed elsewhere. Now, while he differed from those who advocated such a sweeping change, he heartily sympathized with them in their disappointment at the shortcomings of our present system. It certainly as yet was very far from accomplishing all that we might have hoped from it. It could not be denied that there were in all our great towns large masses of children who were neither at work nor at school, and that even of those who were nominally receiving education a very large proportion never got beyond the merest rudiments, and derived little if any lasting good from the schooling they received. With these deficiencies, some impatience would naturally be felt at the inadequacy of our educational machinery. The remedy proposed was two-fold. The leading proposal was to make the attendance of the children compulsory, as in Saxony and Prussia. No feeling of tenderness for the parents would deter him for one from adopting compulsion. Society was suffering grievously from their shameful apathy with regard to the education of their children; and the House had a perfect right to insist upon their doing their duty. The only question was, whether the thing could really be carried out. As the right hon. Gentleman the Vice President of the Council most justly said at the Manchester Conference, it was very wrong for Parliament to pass laws without carefully considering whether they could be enforced, because it inevitably weakened the respect of the people for law when they found it shuffled aside. There lay the gist of the question—whether, if such a law were passed, it could be carried out; and he could not see what machinery at present existed for enforcing it. One thing was clear—that the police must not be called into action for the purpose, nor yet the clergy; and it remained to be seen whether any other effective agency could be created. Again, some ridicule had been cast upon the phrase that had been occasionally used about this matter, the phrase that it would be un-English to apply such compulsion to the parents. He was not to be frightened by a phrase of that sort from doing what was necessary. But, after all, they would find themselves powerless if they went against the grain of the national mind; and certainly it was undeniable that our people have not been accustomed to the system of parental government—the meddling superintendence over their private concerns—to which the people in many parts of Europe had been broken in. And it was, in his opinion, a sound practical objection to say that the political habits of our people were out of keeping with the system it was proposed to introduce. At the same time, it was difficult to tell beforehand how far this would really be found a practical impediment. It was very possible that the working classes might hail this system as a real boon to them, or that, at any rate, they would very quickly learn to adapt themselves to it. This, then, was exactly the case in which it would be desirable to go on by way of experiment; and an admirable opportunity of doing so was offered. Why not permit Manchester, Liverpool, and a few other great towns which appeared to be very anxious to adopt the plan of compulsory attendance to do so? The experiment would furnish them with trustworthy facts by which to decide the question whether the system could be made to work well with the English people, and in what way efficiency could be best insured. The true object of the second proposal was to get rid of the present system of voluntary maintenance, and to establish a system copied from the Continent; by which the schools, instead of emanating from private sources, and trrusting for maintenance to private persons, assisted by the Government, should be public institutions maintained by the locality out of its rates, though, perhaps, still aided from national funds. Admitting that those who took the lead in advocating the change did so from an earnest desire to promote the education of the poor, he must remark that they were supported by others who were extremely jealous of what is called the supremacy of the Church over education. If there were any proof that the influence of the clergy had been used in a mischievous manner; if there were reason to think that it had tended to make the people bigoted, or narrow, or sectarian, or if the people had been imbued by the clergy with ultra-ecclesiastical nonsense, then this objection would be well-founded, and a powerful motive would exist, for taking the education of the working classes out of such hands. But he could not discover any indication of such a pernicious influence. On the contrary, there were a thousand proofs that the children left school without any apparent taint of the kind whatever; and, in his opinion, it would be most ungrateful if they did not allow that this country owed an enormous debt of gratitude to the clergy for their strenuous, self-sacrificing exertions on behalf of the education of the poor. It was not necessary, however, to consider the interest of the clergy in the matter, either on one side or the other. The sole question was how could they best educate their children? Probably, if the whole question of education were before them for the first time, with no system whatever in existence, they would not adopt the denominational voluntary system; but it must not be forgotten that already the country had a gigantic machinery at work, which obtained the full concurrence, the earnest co-operation of the country, and which, though it did not as yet bear all the fruit expected and desired, yet had already wrought effects of infinite value. Already by means of this agency they had 1 in 7·7 of the whole population on the school books, while the proportion in Prussia—the best educated country in the world—did not exceed 6·25. Nor was it from want of machinery that the proportion was not a great deal larger. Everyone practically familiar with the subject knew that the still existing and lamentable want of education among the working class was only in a very limited degree due to the want of school accomodation; it was almost altogether due to the deplorable apathy of the parents. A very striking proof of this was afforded in Manchester. The Education Aid Society at Manchester—which had been at work for many years, strenuously exerting itself to encourage the attendance of children as well as to provide school accomodation—used to issue tickets to the children of the really poor, which enabled those children to go to school gratis; and yet in December, 1866, out of just 21,000 children who had received such tickets, less than 10,000 were found to be attending school. More than half the number were at home, although there was school accomodation for them, and every difficulty, except that arising from the shameful apathy of the parents, had been removed. No change from a voluntary system to a compulsory rating system would have any marked effect in increasing the number of children under education. And would it not be rash to sweep away a great and solid system, the fruits of the conscientious benevolence of the people, simply because it had not yet reached perfection? No one denied that it had worked marvellously well; and no doubt it was becoming every day more and more efficient. It had been shown the other day by Earl de Grey and Ripon that last year the number of schools inspected had increased by just 1,000; the number of children present at inspection was more than 1,500,000, an increase of 136,000; the average annual number attending was 1,241,000, an increase of little less than 100,000, while the number of certificated teachers, of assistant-teachers, and of pupil-teachers, had all largely increased. The system, then, was neither decaying nor stationary; it was growing vigorously, and was really adapted to the feelings and wishes of the people, and to the circumstances of the country. Then, again, there was the matter-of-fact difficulty which they were bound to take fully into account—the pressure of the rates. Already they were producing very disastrous effects in many parts of the country. They caused very great suffering, especially to the lower portion of the middle class and to the working classes, and sunk many into pauperism who would else be able to keep themselves afloat. Perhaps the worst effect of the present high local rates was that they so greatly discouraged the building of houses for the poor. It was a serious thing to increase this mischievous burden, and it seemed rather rash to throw the support of our schools upon this precarious and painful source of income, when, in doing so, voluntary contributions amounting to fully £500,000 a year would perforce be extinguished. He would not touch upon the religious difficulties to which the proposal of his hon. Friend would give rise beyond observing that it would never do to stir up against them the conscientious feelings of the people. This religious difficulty did not arise, as many seemed to think, from mere sectarian bigotry; there might be a little of that in it, but the people of this country had a profound conviction that their children should be brought up in the fear of God, and with a knowledge of their Christian duty. That feeling did not deserve contempt, and no system could flourish that did not fully recognize and respect it. Upon the whole he thought they ought to go on feeling their way towards something better, but maintained that the country was not prepared for the radical change which the Amendment of his hon. Friend (Mr. Fawcett) appeared to indicate.

VISCOUNT SANDON said, as the representative of a large constituency, he begged to offer his warm thanks to the hon. Member for Stoke-upon-Trent (Mr. Melly) for having brought this subject so ably before the House. No one knew better than he how fit the hon. Member was to advise the House on the matter; it had been the study of the hon. Gentleman's life. The right hon. Member for North Staffordshire (Mr. Adderley) had apparently not fully apprehended the point of the hon. Member's Motion, which was the importance of inquiring into the actual number of a very special class of children in large towns; he did not desire a general educational inquiry, but very properly wished to sift to the bottom the many startling statements continually circulating of the large number of children in the manufacturing districts totally destitute of education. Hardly any of the Commissions that had sat had reported as to the actual number of children who, from the poverty of their parents, could not attend school. The Factory Acts would, no doubt, very shortly meet the wants of a very large class of children who went to work, and would also be extended to the agricultural population as well, which would be a great benefit, and likely to meet the wants of the great labouring class of the population—namely, of those who were willing to work. Then, there was another class with regard to whom they had statistics—namely, the children of out-door paupers. With that class, the Duke of Newcastle's Commission very wisely proposed to deal at once by making it compulsory on the guardians to grant relief only on condition that the parents should give the children education—the charge for that education to be thrown on the rates. No less than 288,000 children were proved to be receiving out-door relief. There was also a destitute class of children who were not working, and who were not known as out-door paupers. The House would probably recollect the very startling returns sent from Manchester, the accuracy of which had been denied by the officials of the National Society. With respect to Liverpool, returns had been drawn up by the chief constable, but he did not think that entire reliance could be placed upon their accuracy. The chief constable had put down the number of children who passed through the streets at a particular hour as destitute of education. But many of those children had probably been at school some part of the week, and therefore he doubted very much the complete accuracy of the startling figures with regard to Liverpool. He could speak with some experience with respect to London, as he had long had to do with the East-end. The Board of Education started by the present Archbishop of Canterbury stated that there were from 180,000 to 200,000 children in the metropolis destitute of education, but those figures were torn to pieces. Then, the managers of the

Bishop of London's Fund put the number at 100,000, while the Ragged Schools Union stated that 30,000 children were still as destitute of education as the 30,000 now under instruction in the ragged schools of London. His point was this—that the accounts were so diverse that, before we were led into any great change in our educational system, which it was said would be made next year, it would be well to have accurate Returns of the number and condition of the educationally destitute children in the larger towns. He would, therefore, venture to suggest whether, instead of a Committee of that House, it would not be very much better, if Her Majesty's Government saw their way, to send commissioners to the five great towns of this country to make inquiries as to the special condition of this great class. If the House would allow him, he would, before he sat down, enter his protest against the doctrine laid down by the hon. Member for Brighton (Mr. Fawcett) as to the great change for which the country was prepared with respect to education. He had had a great deal to do with the artizan class in London, Staffordshire, and Liverpool, and his opinion was that, ardently as they desired education for their children, they would not be satisfied unless it had stamped upon it some distinctive religious character. He did not say that it should be the religious opinion of the Church to which he belonged, but the point was this—that they were determined that their children should be taught a distinctive creed of some sort; and he should be sorry if those who were the warm advocates of education were to mar the progress of the great cause by a vain, futile, and, as he believed, hopeless pursuit of secular education.

Mr. W. E. FORSTER said, he entirely agreed with the noble Viscount (Viscount Sandon) that the thanks of the House were due to his hon. Friend the Member for Stoke-upon-Trent (Mr. Melly) for the manner in which he had brought forward this question. His hon. Friend had taken great pains with the subject, not merely with a view to that debate, but practically for years, and they must all see traces of that in the remarkably clear and able statement which he had made to the House. He also agreed with the noble Viscount that the class of children to which he had called attention was distinct in itself. No doubt the condition of large numbers of children in our large towns, and not least in the largest towns, was one which had serious claims upon their attention. He believed his hon. Friend was correct in the words which he used when he spoke of the

> "numbers of young children in our large towns who were growing up without any education, unaffected either by the educational clauses of the Factory Acts, or by voluntary efforts."

That was a very strong—he must say a fearful statement, but he believed it was strictly true. It was said by the hon Member for East Surrey (Mr. Buxton) that the system might be worked by the co-operation of the people. But those children got no education, because there was no co-operation on the part of their parents. They escaped the action of the denominational system, because their parents were not of that class that could be attracted by any one religious system. They escaped our Factory Acts—which had done great good—because very many of them were the children of parents who could not find work, or did not care to find it. Consequently, we had this fearful state of things—a large portion of the nation growing up in our large towns without education, and ready to become members of the dangerous classes. It was said by a noble Marquess in "another place" that education did not diminish crime. That was one of those paradoxes which none but great men ventured upon. Probably the noble Marquess intended to say that education did not diminish vice. Was there anyone who had to do with crime in the country that doubted that education diminished crime? This was most certainly the case—that, as civilization increased and wealth accumulated, the temptation to crime also increased; but education, giving men more head-power to resist temptation, tended the reforeto diminish crime. It was because this class of persons destitute of education had been growing up to such an extent thathis right hon. Friend the Secretary of State for the Home Department felt the extreme difficulty of suppressing the criminal classes, and it was on that account that we found ourselves engaged in the consideration of measures which he believed were necessary, but which our ancestors would have felt repugnant to the principles of English society. He agreed with the hon. Member for Brighton (Mr. Fawcett) that the time had gone by for Committees.

The time for Committees had passed, and the time for measures had come, and he believed for comprehensive measures. It might be asked—"Why not bring forward measures, then?" But no one would wonder that the Government had not brought forward a comprehensive measure this year. With what they had to do, it was practically impossible. To attempt to solve this question would require a Session in which it would be, if not the principal work, one of the principal. His right hon. Friend opposite (Mr. Adderley) had certainly a plan in his mind by which to meet the difficulty, and that was by altering the present Minutes of the Revised Code. Well, he wished he could agree with his right hon. Friend, because that would certainly be a very summary mode of settling the question; but he believed it to be impossible. He did not imagine for a moment that the House would attempt in that way to make the changes which would be necessary to turn the present system into a national system, which, to use the words of the right hon. Member for the University of Oxford (Mr. G. Hardy), would bring education home to all the children in the kingdom. That was a hard work which was before the Government and the House. It was one of the hardest problems that any Government could have to grapple with. If there were no educational system at all it might be easier to make a national system; but the problem they had to solve was how to change the present partial denominational system into a national system with the least possible injury to that which existed at present. They wanted to touch those large numbers who were growing up out of the reach of voluntary efforts, without taking away from the education of those who were now reached. His noble Friend Earl de Grey, in "another place," the other night gave the statistics of what the present system was doing. The present system was doing a great work. There were last year 15,500 schools under inspection, with an average attendance of 1,240,000 children. But he had lost hope that this system could be expected to do much more than keep pace with the increase of population among the classes which frequented the schools. The hardworking artizan who cared about education took advantage of the present system, as did also the men who could be persuaded by religious bodies to entrust them with the care of their children. But those with whom it was now necessary to deal belonged to neither of those classes; and the danger arose from that cause. That was one of their greatest difficulties in that work—how they were to meet the wants of those who were uncared for without injuring those who were cared for? Another branch of the subject which had been touched upon that evening, and which must be touched upon whenever they attempted by any measure to solve that problem, was this—that while it was quite clear that neither the country nor the House would consent to one religious denomination being aided more than another, nor to the public money being given to religious teaching — although he believed they would consent to public money being given for secular teaching in schools which also imparted religious teaching —yet he believed that the feeling of the country would be quite as strong, on the other hand, against any check, discouragement, or interference being offered to religious teaching. It might be true, as was sometimes charged against them, that they felt more anxious about the religious instruction of those who were not so well off as themselves than they did about their own, and that remark would apply not merely to themselves but to some classes below them. But however that might be, they would be misleading themselves if they imagined that there was not a large portion of the working class who also cared about religious teaching, and he did not believe it would be popular—even if they were to condescend to consider only what was popular—to have such a system of national education as would really check and discourage religious teaching. Then there were other difficulties; for instance, that of rating, which appeared to be felt by many hon. Members, although he thought, if they looked at the mere pecuniary part of that matter, they would find that a 3*d.* education rate would soon be more than paid back by the diminished poor rate and prison rate which would result from it. There was also the difficulty as to upon what conditions they should give aid from the Consolidated Fund, and likewies the question of what security they should take that good teaching was imparted.

It had been mooted that evening that some of the securities on which the State now insisted should be relinquished. He expressed no opinion now on that point, but it was a most difficult part of the subject. Then they came to two questions started by the hon. Member for Stoke. The one was whether the schools ought to be free or not, and the other was whether they should look forward to a compulsory attendance. The time had not really come yet for them to express an opinion on either of those points; but he was rather surprised to find that his hon. Friend (Mr. Melly), with all the study he had given to that question—a study scarcely exceeded by that devoted to it by any one among them—should seem to suppose, as he (Mr. W. E. Forster) gathered that he did, that they could establish free schools to any extent in a large town, and that those free schools should not swallow up all the other schools there and make it necessary that they should all be free. Much argument could, perhaps, be used in favour of free schools, even although they might have that consequence; but he was sure they must approach the question whether the schools were to be free or not—and especially if they were to be free schools supported by rates—with the belief that, if they introduced any large number of free schools, the free school system would entirely prevail in the districts which were provided with them. They would not find that the hard working artizan, who with difficulty paid his rate, would allow that the children of people not so hard working or more poor than himself should be admitted to a free education paid out of his pocket, and that his own children's education should not be free also. Then there was the question of compulsory attendance, with respect to which some words of his own spoken at Manchester had been quoted. He thought the argument that it was un-English to compel the father, who was bound and also able to do so, to perform the duty of educating his children was an absurd argument, and it was one from which they had taken all the force by compelling him, if he sent his child to work, to submit to his education. But, while still of that opinion, he was afraid that this much remained un-English; not the mere principle of compelling a father to pay for the education of his child, but here comes the un-English part of the matter—the difficulty, according to English plans of government and English modes of thought, in putting machinery in operation that would make that compulsion anything more than a mere *brutum fulmen* and waste of power. The experience of the Continent was often quoted. The hon. Member for Sheffield (Mr. Mundella) would tell them that they might go from one part of Germany to another and they would scarcely find a single child who was untaught or unable to read and write, and that the principle of compulsion, though universal, was not now necessary, because almost every parent would send his child without its enforcement. But let them not deduce more than they ought to do from that argument; because he doubted whether it was not correct to say that, if compulsion had not existed at one time in those districts, there would not now be no longer any need of compulsion. But such compulsion, interfering with the daily life of her citizens, England never had; and he much doubted whether the English people would assent to it. America was rather more of a case in point, and the experience of New England was really curious in that matter. The School Inquiry Commission (of whom he was one) sent over an Assistant Commissioner to examine into the education of the New England States of America. The gentleman chosen was the Rev. Mr. Fraser, whose writings were well known to hon. Members on both sides of the House. Mr. Fraser made a most able Report, in which he stated that there existed a law of compulsory attendance at school in New England. Mr. Elihu Burrit, a gentleman well-known and much respected in this country, at a meeting in the Midland Counties, quoted that statement, and entirely denied its correctness. He was accordingly requested by some of his Colleagues in the Commission to find out whether it was really correct or not, and he went to Mr. Adams, who, before he came to England as American Minister, had taken a most active part in the working of the system of education in New England. He asked Mr. Adams who was right—Mr. Fraser or Mr. Burrit? Mr. Adams said Mr. Fraser was wrong and Mr. Burrit right, and that he was perfectly sure there was no such Act. The Commissioners then asked Mr. Fraser how he came to make that mistake, whereupon Mr. Fraser proved by the most unimpeachable evidence that the Act did exist. But what was the real fact of the matter? The Act existed, but it had been found to be so contrary to American feeling that it was not made use of for so long a time that its existence was entirely forgotten. Now, he had stated that once or twice before, and since he first did so, attempts had been made in New England—and he did not know with what amount of success—to put that Act in operation, arising, perhaps, from the necessity they laboured under, through the large number of emigrant children that went to them from the Old World. It would, he thought, be very instructive for them to see how far these efforts to put the Act in force in New England succeeded. Allusion had been made to the number of Bills which had been brought forward. It was quite true that he and the Secretary of State for the Home Department had tried their hands at a measure both last year and the year before; and their experience showed the difficulty of the question in a way hardly noticed that night. Their measure of the year before last was the result of the practical thought and labour of several gentlemen of different sects and different political views, but who agreed in a common desire to give the best system of education to the town of Manchester. That Bill, if it had been accepted by the House, would, he believed, have at that time met public opinion. Public opinion had progressed between the year before last and last year. He and his right hon. Friend made a change, and whereas their measure of the year before last was only for permissive rating, their measure of last year contained compulsory powers of rating in districts which could be proved beyond dispute to have no other mode of providing schools. He believed that their Bill of last year also would have met public opinion. But they had observed that the converts they obtained to their Bills were obtained a few months too late. Very powerful support was given to their Bill of 1867 when they found it necessary to bring forward their Bill of 1868; and now, when at this time it was quite impossible for them to try legislation again on that subject, he saw that a great organ of the daily Press, which gave them quite the cold shoulder last year, had come in this year to the principle of their last year's measure. That showed the great difficulties with which the Government had to deal. And then came the precise question which had been brought forward by his hon. Friend the Member for Stoke-upon-Trent as to whether a Committee could help the Government in any way. Now, he confessed that when the hon. Gentleman's Motion was placed on the Paper he looked at it with an earnest desire to derive help from it if possible, for the work to be accomplished was so hard and difficult that assistance ought to be sought for in every quarter. But he agreed with the hon. Member for Brighton and the right hon. Gentleman opposite (Mr. Adderley) that the proposed Committee was not very likely to be able to help the Government. Such a Committee could do two things. It could make suggestions and it could obtain information. Now, without wishing to undervalue suggestions which might be offered by a Select Committee, he must express his belief that the time for suggestions had gone by. It was, he might say, almost a fearful thing for the Government to deal with so difficult and important a question as that of education; but still it was the business of the Government to do so, and he could not see that any advantage would arise from seeking help from the suggestions of a Committee. Moreover, he did not think that suggestions relating only to the state of education in three or four large towns would be of much use, as he concurred with the right hon. Gentleman opposite that, although in dealing comprehensively with the subject, regard ought to be had to the various conditions of different parts of the country, yet it must be handled in such a way as to embrace the whole of England. Then a Committee might examine witnesses and elicit information, but this would hardly be of any assistance to the Government. He had, however, been seriously considering in company with Earl de Grey and other Members of the Government whether there were any means by which, acting on the hint given by his hon. Friend the Member for Stoke-upon-Trent, they could put themselves in a better position to deal with the subject. Thus he was led to the anticipation of the noble

Viscount opposite (Viscount Sandon). It would, in his judgment, be advantageous for the Government to obtain a statistical return of the actual amount of elementary education in three or four of our large towns. If, therefore, his hon. Friend should think fit to withdraw his Motion, he should be prepared to place upon the Paper, in the course of a few days, a Notice of Motion for a Return as to the number of schools and scholars in Leeds, Liverpool, Manchester, and Birmingham. The Government would also endeavour to form an opinion as to what kind of schools they were. The Government would not ask the House to grant them compulsory powers to obtain that information; but he believed they would be able to set at rest the doubt which had been raised as to the authenticity of the statistics of education in those large towns. For his own part, however, he put great faith in the returns which had been obtained by the Manchester Society and the Birmingham Society. With regard to Manchester, he knew the gentlemen who had undertaken to prepare the returns, and he believed that the Birmingham returns had also been prepared with great care. Still, as their correctness had been disputed, it would be an advantage for the Government to endeavour to ascertain how far they were correct. His hon. Friend had not laboured in vain in bringing the matter before the House, and, in conclusion, he would express a hope that his hon. Friend would, under the circumstances, withdraw his Motion.

Mr. MUNDELLA said, he had been induced by the reference made to him by the Vice President of the Council to make a few remarks on the subject before the House. Although Germany might be spoken of as a country which governed its people very much by means of centralization, yet the same could not be said of Switzerland. He was well acquainted with the latter country, and also with Saxony, Prussia, and Würtemberg. Having travelled in every part of Saxony, where he was an employer of labour, he could bear testimony to the fact that there was scarcely a child of ten or twelve years of age in that country, whether in the city, the field, or the mountains, who could not read and write correctly and with ease. When Lord Stanley was Secretary of State for Foreign Affairs, he made inquiries of our legations abroad as to the state of education on the Continent. Accordingly, our Secretary of Legation at Berne (Mr. Rumbold), made a Report, in which he stated that the Swiss people, while proud of their free institutions, were wisely convinced that their only sound and lasting basis was to be sought in as comprehensive and as widely spread a scheme of public education as possible. The same gentleman went on to show that, after little more than thirty years, the spread of education had been such that the Swiss could now boast that there was hardly a child within the limits of the Confederation who was incapable of reading or writing, with the exception of those who were physically or mentally incapacitated. This result Mr. Rumbold attributed to the result of compulsory education. The Report further stated that in the Grand Duchy of Baden penalties for the non-attendance of boys at school were almost unknown, and that in the Grand Duchy of Saxe-Weimar no fine for non-attendance had been imposed during the last forty years. He (Mr. Mundella) had himself examined large schools in Saxony, and conversed with the heads of schools, and they had assured him over and over again that the idea we had that it would be necessary to call in the aid of the police was absurd. In Switzerland, in the canton of Zurich, there was an Educational Board; every house was registered; the children were all registered; and all children were required to attend school when six years of age, and continue to do so till twelve years old. Between twelve and fourteen they were allowed to work half time. Of course the schoolmaster looked after them, and not the policeman. If the parent did not send his child to school the master reported him to the Board, who fined him a franc or so. But, in point of fact, compulsion had become almost unnecessary, for it was considered as disgraceful there for a parent to deny his child education as to refuse him necessary food or clothing. In Saxony there were one in six of the population attending the schools, from the sixth to the fourteenth year, and of these 97 per cent were in constant attendance, and it was not only the extent but the quality of the education that was admirable. If poor Saxony and poor Switzerland accomplished this he could never realize to himself that it could not be accomplished in England, the richest country in the world. He believed that the feeling was growing stronger and stronger in the country in favour of a compulsory system of education. He had no desire to detract from English institutions, but he wanted his countrymen to have the same advantages as were possessed by foreigners in respect to education. Our rural districts were even behind the great towns. While acknowledging the great sacrifices which had been made by the clergy of the Church of England in promoting education, he must point out that some great districts were neglected because they did not happen to have clergymen who were awake to the importance of this question. Within four miles of Nottingham, for instance, there was a parish containing 3,880 inhabitants; and a personal visitation made a year and a half ago showed that the number of children between the ages of eight and four and five and twelve was 750. And yet there were less than fifty at school. In consequence, however, of the efforts made by the excellent rector, and the munificence of his Friend the hon. Member for Bristol (Mr. Morley) and some of the landed gentry, schools would, in the course of a week or two, be opened in that place. At present there was only school accommodation for 100 children. No one was more ready than he to admit that the English people possessed splendid natural qualities, and if to those were added the blessings of education, he believed the cost of securing those blessings would be more than compensated for by the diminution of crime, pauperism, and that squalor which unhappily prevailed so extensively in our large towns. He had taken pains to inform himself as to the educational status of nearly 12,000 young persons engaged in work, and he found that while 20 per cent of them could not write a letter decently, there were 50 per cent who could not read or write at all. Such a state of things was, he maintained, disgraceful to a Christian country, and he hoped the words of the right hon. Gentleman the Member for Bucks (Mr. Disraeli), who, on the opening night of the Session, spoke of a system of national education as being absolutely necessary, would find an echo in all parts of the House, and that we should soon have every child throughout the kingdom enjoying the advantage of receiving instruction, as was the case in those countries upon the Continent to which he had referred.

MR. JACOB BRIGHT said, he wished only to state that the inhabitants of Manchester would not have shrunk from the operation of a Parliamentary Committee of Inquiry, if it had been thought necessary to appoint one. They did not feel that they were in a very forward state on the subject of education; but on the other hand, they were not so bad as some places. On the whole, he believed that they were better than the other Lancashire towns. In Manchester thirty-three out of 100 persons could not sign their names on marriage. The worst town in it, in an educational point of view, was Preston, which was represented by two Gentlemen on the other side of the House. In that town there were forty-nine persons in every 100 who did not sign the marriage register. He held in his hand an official Paper, which showed that, in several counties of England, there were districts where more than fifty in 100 made a cross in signing their names, and it was noticeable that those districts had the fewest boroughs where the educational state was lowest. It was a conviction which was very generally entertained, and which he himself shared that, unless we could devise something more efficient than the present system of education, we should have a great amount of ignorance in this country to the end of time. It ought, therefore, in his opinion, to be as soon as possible replaced by some more comprehensive system. There was the theological difficulty which had been referred to by the hon. Member for Brighton (Mr. Fawcett). But in his intercourse with working men he (Mr. Jacob Bright) had always found that they cared very little for theological instruction at school. There was nothing he was more convinced of than this, that when a working man sent his children to school, and paid the school-pence, he paid for secular instruction and not theological, and would simply ask where he could obtain the best intellectual results. If he did not do so, he would show very little sense indeed, for he had abundant opportunities of giving his children religious instruction at home, and in the Sunday schools attached to the various churches and chapels which covered the face of the country. There was also the financial difficulty, and undoubtedly the results in Saxony described by the hon. Member for Sheffield (Mr. Mundella), and those existing in New England, in Switzerland, and elsewhere, were not to be obtained without considerable expense. He was willing that the country should pay for such results, and he believed it was able to pay for them. He saw the difficulties connected with local taxation, the burden of which was so loudly complained of; but if they could get rid of some of the burdens of Imperial taxation, the local taxation would be more easily borne. Now, we were saving this year between £2,000,000 and £3,000,000 and he believed that that saving ought to go on for four or five years to come in the same ratio. The constituencies of England had come to the determination that our expenses should be reduced, and if the reduction should continue in the same proportion, we should soon save a sum equal to one-half our whole local taxation, and we could then afford to be generous so far as the important matter of education was concerned. He had often remarked in that House the jealousy which existed in regard to the efficiency of the public services, and he sometimes thought it was made a cloak to cover great extravagance. He trusted the time would come when the House would be jealous about the efficiency of another service—one not less important than Army or Navy—he alluded to that service in which so many earnest and devoted men were engaged, who were endeavouring to carry instruction to the poor and helpless children of this country. He believed it was necessary to legislate on this subject, and he agreed with the Vice President of the Committee of Council that the Government alone could take it up effectually and successfully. He ventured to think that a Government which had shown so much ability in grappling with that great question of the Irish Church might, when that was removed out of the way, undertake a question so important and extensive as the present.

Sir JOHN PAKINGTON said, he thought it was not only natural but very desirable that the subject of education should once more be brought before the House at the opening of a new Parliament, and he for one felt very much indebted to the hon. Member for Stoke-upon-Trent (Mr. Melly) for the manner in which he had introduced it to their notice. He must, at the same time, express his satisfaction at finding the Vice-President of the Committee of Council was not prepared to accede to the hon. Gentleman's Motion. In his opinion we had had sufficient inquiry on the subject already—[Mr. Bruce: Hear, hear!]—and he was happy to find that his right hon. Friend the Secretary of State for the Home Department seemed to concur in that view, for, as a Member of the Committee of which he himself (Sir John Pakington) was Chairman, and which sat two Sessions, the right hon. Gentleman must be aware that that Committee had exhausted the question. If he had to decide between the Motion of the hon. Member for Stoke-upon-Trent and the Amendment of the hon. Member for Brighton, he should feel inclined, he must confess, to vote rather in favour of the latter. The House was amply furnished with facts, and it now only remained for it to grapple with those facts, and to proceed, as soon as it could conveniently do so, to legislate on the subject. He had repeatedly said that we should never solve the great problem of national education until we had arrived at the fulfilment of two conditions—the one the existence of a strong Government, the other the existence of a Government which was not only strong but determined to settle the question. The first of those conditions was realized, and he was well aware that his right hon. Friend the Secretary of State for the Home Department, as well as the Vice-President of the Committee of Council, had long had the subject sincerely at heart. Under these circumstances they had a right to expect that the question would be settled, and it was time that it should be settled. Further inquiry was not wanted. And on another point he was obliged, though reluctantly, to differ from the opinion expressed in a very sensible speech by his right hon. Friend the Member for North Staffordshire (Mr. Adderley). His right hon. Friend argued that inquiry was necessary, but then went on to urge that there should be a further trial of the present school system. Now he (Sir John Pakington) thought that the present system had been tried long enough, and what they wanted was a better one, which he hoped would be framed in a bold, statesmanlike measure by the present Government. It could not be expected this year. The manner in which the Government had arranged their business, and the late period at which the Session commenced, made it unreasonable to expect that the Government should grapple with the question this Session. But he must, in candour, state that, as they could not be expected to grapple with the question this year, they had taken the next best and most judicious step by bringing forward their Endowed Schools Bill. In saying this he did not mean to commit himself to the details of that measure, which in Committee would require a good deal of consideration, and, perhaps, of alteration. But the Bill dealt with one of the most important questions connected with education—namely, the painful and absurd extent to which a vast amount of endowed property throughout the country, devoted originally to purposes of education, had now become useless. The Government deserved credit for having, as a preliminary step, taken up that question. They were a strong Government; among their Members were men capable of dealing with the question as well as anxious to do so; and he trusted that next Session there would be no more inquiry, but a comprehensive measure upon this subject.

Mr. HENLEY said, he rather regretted that the Government had refused to appoint this Committee, and he could not say that the reasons assigned by the Vice President of the Council appeared to be satisfactory. The right hon. Gentleman stated that the subject was full of difficulties, and nobody who had paid attention to it would think of controverting that proposition. But, as nothing was about to be done just yet, he asked whether meanwhile we had as much information as it was possible and desirable to have. One or two things had been said by the hon. Member for Birmingham (Mr. Dixon) as to which he confessed he should like to have had more information than was forthcoming at present. The hon. Member stated that, in spite of all the changes which had occurred in the Government examinations of the assisted schools, the result of an inquiry to which he was privy showed that, if the children who passed through these schools ever learned anything, they certainly had not done so in such a way as to retain what they learnt. That statement certainly seemed to be one worthy of consideration, supposing it to be well-founded. The hon. Member also stated in a very emphatic manner, that which at all events, seemed to be his own belief—how far it had spread among others he did not inform the House—that people were likely to feel degraded by having their children educated at schools that were assisted by donations, and to feel that they were being educated at charity schools. Now it might be worth inquiry how far the parents of children educated out of the rates might not feel pauperized. At all events, that was a question raised by the speech of the hon. Member for Birmingham. He (Mr. Henley) would express no opinion one way or the other. In these days it would not be right or decent to use "an ignorant impatience" which was employed fifty years ago in reference to taxation, but there certainly was a very intelligent impatience about local taxation; and this, again, was a point on which further information would have been desirable. There was another question on which Parliament might have profited by inquiry—a question which the Vice President of the Council seemed to put entirely aside when he said that any system which was adopted must be a comprehensive one. This was saying, in other words, that special cases in special districts must not be considered, but that there must be one Procrustean rule extending over the whole country. Now, the proposed inquiry was one into the special cases of the great towns, and it might not have been useless or unworthy the attention of the Government to ascertain, by reference to the circumstances of these great towns, whether it was right to have but one rule applying to the whole country. All that he heard during the debate—and he could not hear very well now—made him regret that the Committee was not granted. If, as the Vice President of the Council had stated, the subject was full of difficulties, the more information they could get the better, even if sometimes they got the same facts twice over. The question was one in which every person in the land—high or low—was interested, and though Parliament, no doubt, had a great deal of information on the subject, that was no reason they should shut out more, and thus run the risk of coming to an unsound conclusion.

Mr. CARTER said, that the question which had been suggested—whether rate-supported schools might not pauperize the people, might be answered by another—how far did the higher classes feel pauperized by certain of the higher schools? He was glad that the Government had not acceded to the request of the hon. Member for Stoke-upon-Trent (Mr. Melly), because he looked upon the hon. Member's proposition as an attempt to make an invidious distinction between the large towns and the other districts of the country. He agreed with the hon. Member for Sheffield (Mr. Mundella) in thinking that the large towns were, to a great extent, mere reservoirs for the ignorance of the country, and that a large proportion of the uneducated belonging to the agricultural and other districts, came to settle in the large towns. As an instance of this, he would cite a few statistics relating to the agricultural district of Stoke-upon-Trent, with which the hon. Gentleman, who had introduced the question, was connected; and these would show that the whole of the ignorance of the country was not concentrated in the large towns. By way of contrast, he would first give some figures with respect to Leeds. That town, in the year 1861, had a population of 207,000. One-sixth of that was 34,500. Now, at the present moment, there were 11,300 children in the Government-assisted Schools in Leeds, leaving 23,200 children to be accounted for. On the other hand, he found it stated in a Report recently issued by the Privy Council that, according to the testimony of the Rev. A. F. Bonar, there was in a certain district immediately adjoining Stoke-upon-Trent, an agricultural population of 325,564, one-sixth of this number was 54,260; and there were at this moment 12,700 children in the Government-assisted schools in the district, leaving 41,500 children to be accounted for. Thus, in Leeds, one in seventeen attended the Government schools, while only one in twenty-five attended them in the district to which he referred. If, therefore, there was to be any inquiry how far education had progressed, they must not merely take in the large towns but the agricultural districts, which were in a worse condition. In the same Report, it was stated that education in that district had actually deteriorated; that in a parallelogram of 450 square miles there were only three assisted schools; and that there were forty-four villages, each of more than 500 inhabitants, where there was no school whatever assisted by the Government. It stated that at Lockington—one of those villages—the managers intended to discourage the attendance of children after the age of infancy, because learning tended to make labourers dissatisfied with their condition, and less civil and obliging to their employers. In a village immediately adjoining, the inspector stated that the clergyman had used all his powers of persuasion to induce the farmers and respectable inhabitants to support the school, but without effect, and, out of an income of £100 a year, he had to give £20 a year to sustain the school. They had been told that legislation on this subject was unnecessary. Now, within the last six months, he had addressed as large assemblies of working men as any man; and he had no hesitation in saying that in the large towns the people were almost unanimously in favour of a compulsory system of education. We educate our paupers, we educate our criminals, we educate all those who hang themselves on to the sects, but we leave a large class, between the pauper and criminal on the one hand, and the sects on the other hand, totally uneducated. What we require is a system which shall take hold of this class, educate them, and so prevent them from becoming the paupers and criminals of the land.

Mr. MELLY said that, after the courteous way in which he had been met by the Government, and after their promise to give him even more than he could expect from the Committee, he was, of course, willing to withdraw his Motion. He thanked the House for the kind manner in which he had been spoken of throughout the debate.

Mr. HERMON said, he wished to state that when the hon. Member for Manchester (Mr. Dixon) branded the borough of Preston as being the worst borough in Lancashire in respect to education, the statistics from which the hon. Member derived the information that out of 100 persons only forty-nine were able to sign their names on marrying must apply to a past generation, and not to the present. He was happy to say that Her Majesty's Inspector of Schools had reported very favourably of the state of education in that borough. Preston was a large manufacturing town, and if the children there were not properly educated, that circumstance would be an argument against compulsory education, because the children in the factories were obliged to attend school or else quit their employment.

Amendment, by leave, *withdrawn.*

SCOTLAND—FAGGOT VOTES IN SCOTCH COUNTIES.

MOTION FOR A RETURN.

MR. CRAUFURD, in rising to call attention to the system of creating faggot votes in Scotch counties under the Reform Act of last Session said: Sir, we have heard during the debate which has just concluded a great deal about the effects of education on crime. That is indeed a very wide question, and I think we might show in reference to it that education has not yet gone so far as to stop such crimes as the adulteration of food and of drugs, and, moreover, that it has not stopped the people of this metropolis, in large numbers, from resorting to false weights and measures; while, further, it has not the effect of suppressing the manufacture of counterfeit coin. On the contrary, education has given facilities for all these crimes; and with regard to the manufacture of counterfeit coin, which at the present moment comes more within my immediate cognizance, I may state that chemistry and galvanism have been brought in to assist in producing imitations of Her Majesty's coins to great perfection. But, Sir, the counterfeit to which I desire to call the attention of this House is one of a somewhat different kind; and I think that hon. Members on both sides of the House will agree with me that this is a crime often not regarded politically as a crime at all. We have heard that in politics, as in love and in war, everything is fair. We have also heard a good deal about education in politics. The right hon. Gentleman, the late First Minister of the Crown (Mr. Disraeli) took it into his head one fine day to go down to the capital of my country, the City of Edinburgh, in order to tell us that he was going to educate us himself in matters of politics. Sir, this question of education is connected with these faggot votes to which I am about to call attention, and this is a matter also intimately connected to a great extent with the progress of the party now sitting upon those (the Opposition) Benches. I do not desire, in the matter which I am going to picture, so far as I can avoid it, to make it a party question, because I believe, with regard to the crime to which I am going to call attention, that it is one with which both sides of the House are more or less tainted—I mean the creation of what are called faggot or fictitious votes. I think history tells us that, although this has been done by both parties, it was begun by the Gentlemen who sit opposite. Soon after the passing of the Act of 1832, the manufacturing of faggot votes in Peeblesshire was commenced by gentlemen of the Tory persuasion. To use the explanation given in 1837 by Mr. Horsman, in that very able speech in which he brought before the House the question of the manufacturing of votes—he confessed that my countrymen were too honest to be bribed, and too independent to be bullied, but that in some constituencies they were not too numerous to be swamped by these fictitious votes. The party then designated the Tory party were not the popular party, or at any rate had not in Scotland the representation of the popular feeling. Shortly after the enfranchisement—the real enfranchisement—of the people of Scotland by the Reform Act of 1832, it became with that party a serious question how far they should take measures to prevent the entire extirpation of the party. It became a matter of self-preservation; and as self-preservation is a law of nature, they would say that they were justified in keeping their hold of the counties. No one can doubt that it began with the Tory persuasion in 1833. That it was tried by Gentlemen on this side of the House I do not mean to deny, and I do not condemn the system one bit the more because it came from the other side. On the contrary, we who are identified with the popular party, and are supposed to represent popular opinions, are more to be blamed than the Conservatives if we indulge in practices like these. More than that, the evidence goes to this extent, that although the thing was done by gentlemen of Whig persuasion, in self-defence, not to be outnumbered by these fictitious votes, many of them were afterwards so convinced of the error of their ways that they gradually bought back the votes they had themselves created. But I should rather leave to those gentlemen who have always been the opponents of popular principles the odium of having created this class of fictitious votes. Now, what were the means adopted by those who introduced the system? There was introduced into Scotland, under the Act of 1832, a perfectly free, fair, and independent franchise, and among others, the possession and ownership of property of the value of £10 in counties constituted a qualification, and the qualification included life-rents It was enacted that the actual possession of an annuity or life rent-charge of £10 and upwards upon the land was a sufficient qualification for a vote in the counties, and it is to this class of voters that I wish particularly to call the attention of the House. The system grew up, and small properties and blocks of houses were charged with life-rents—not in the ordinary way, where the proprietor parts with the fee but retains the life-rent for himself; but life-rents were created by proprietors retaining the fee themselves and granting nominal life-rents to a number of persons upon some piece of land or block of houses just sufficient to give each a vote. To show that in all these transactions there was no real *bonâ fide* change of proprietorship it is only necessary for me to say that most of the transactions were of this nature—A life-rent of £10 was created and sold to the person who was to be constituted a voter. No money passed, but a bill for £200 was granted by the life-renter to the owner of the fee. The interest upon that amounted to £10, and the interest on the bill was set off against the £10 life-rent. In fact, the whole transaction was a mere paper transaction; and this, supplemented by an oath before the Sheriff or proper officer, constituted the position of the voter. A very large number of these gentlemen were put upon the electoral roll simply upon the strength of these fictitious qualifications. And, mark, they were not gentlemen belonging to the county in which they got the qualification, but gentlemen residing in distant counties—in some cases gentlemen actually residing in London. It will be found, by referring to the roll of the county, that those gentlemen appear as owners of life-rents of £10, £12, or thereabouts—just sufficient to give them a vote. The ingenious method by which an attempt was made to give a semblance of reality to the transaction may be imagined from the fact that upon the register the voter is described by name, and put down as the recipient of so many pounds, one as proprietor of one-fourth of one-fourteenth; another as proprietor of one-twelfth of three-fourteenths; a third as proprietor of one-eighth of one-seventh of some wild spot. But if any Gentleman would make an arithmetical calculation, he would find that all these various fractional parts would come to one and the same thing. I hold in my hand the roll for the county of Selkirk, and I find on it the names of gentlemen who live in this part of the country, gentlemen who are writers in Edinburgh, gentlemen who are in the army serving in distant parts, but not one living in the district. Since 1832 there has been adopted a different system from that which prevailed before it. For instance, in Scotland we have what are called superiorities or feus—a system of granting feus upon a perpetual fixed rent, with the reservation of certain rights to the superior. They now grant feus, and the land is parcelled out into feu-rents beyond its value, and thus fictitious feu-rents are created. In the evidence given before a Committee of this House, it was shown that those parcels of land had been given out among gentlemen who had been brought into the county to over-ride and overpower the local vote. Whatever may be the opinion of hon. Gentlemen as to the extension of the franchise, I believe not one will defend a system which endeavours to destroy a constituency by infusing into it a large alien element which will swamp the free opinion of the constituency. Whether it be the opinions of the Liberal or of the Tory side, it is all the same for the purposes of my argument. You have no right—you Whigs especially—to go into a Tory county any more than you Tories have a right to go into a Whig county, and try to overturn local opinion by bringing with you a crop of strangers who have nothing to do with the interests of the county. My Motion, as a matter of course, refers to the smaller counties, because it is obvious that in the larger counties the difficulty of working this objectionable method is far greater. It is only in the smaller counties, that by the introduction of fifty or 100 strange voters, you can overturn the local opinion of the county. The county which the hon. Baronet (Sir Graham Montgomery) represents gives one of the most marked and notorious instances of the working of this system. I am glad to see my hon. Friend where he is, and I do not wish to say anything that would be unpleasant to him or his constituents; but my hon. Friend gained his election, in a constituency numbering something like 800, by the small majority of three votes, the numbers being 361 to 358; and when you come to analyze the voting, you find in the majority that there were about fifty faggot votes—the votes of people who were all strangers to the county of Peebles, gentlemen who resided in Edinburgh, and, indeed, all over the country, and who never lived in the county of Peebles in the whole course of their lives. Therefore it is quite clear that but for this half-hundred of buckram troops he would have been defeated by a majority of more than forty. Now, is it right that any constituency should be treated in that way? There is a further matter in connection with the county of Selkirk well worthy of the attention of the House. There is a notorious building in the town of Selkirk—an inn which rejoices in the name of "The Fleece." While the county of Selkirk had a separate representation this inn was a favourite property for creating faggot votes for the county, being capable of qualifying some ten or twelve. But under the provisions of the Reform Act of 1868, the town of Selkirk is incorporated with the Border Burghs and the remainder of the county of Selkirk is annexed to the county of Peebles—the two together returning only one Member. The old faggot votes qualified on "The Fleece" having thus become useless, I am informed that "The Fleece" is now for sale, and by a curious coincidence "The Tontine" hotel at Peebles is likewise in the market, and the ostensible proprietors of "The Fleece" are about to transfer their business to "The Tontine." These are the ingenious arrangements which the extreme education of the Scotch Conservatives enables them to carry out. But the system is not confined to Selkirk and Peebles. I received this morning an exceedingly interesting communication from the town of Rothesay, in the county of Bute. It will be remembered that in the election of 1865 the county of Bute returned Mr. Lamont in the Liberal interest. Last year a Gentleman of different political opinions was returned, and the writer of this letter from Rothesay states that in the county of Bute there are about 110 faggot votes in a constituency of 1,073. Of these 110 there are not more than fifteen resident; and about eighty have been created since the Liberal victory of 1865. This is the way the system is worked. They take a house belonging to some gentleman conveniently ready to sell and, curiously enough, they happen to find for that block of a house as many purchasers as can be qualified on it. Thus, for instance, on one "house and pertinents," at Craigmore, Rothesay, there are eight voters registered as follows:—Alexander Boyle, Captain, R.N.—place of abode, London; W. S. Stirling Crawford, Esq., Melton; Charles Dalrymple, M.P. for Bute, New Hailes; Alexander Hamilton, Commander, R.N., Rozelle, Ayrshire; James Auld Jamieson, W. S., Edinburgh; Sir Michael R. Shaw Stewart, Bart., Ardgowan, Renfrewshire; William Stuart, Junr., M.P., Bedford; John Pettigrew Wilson, Advocate, Edinburgh. On another house there are six, chiefly belonging to Edinburgh; on another there are seven, almost all belonging to Glasgow; on another there are four, of whom one is the hon. Member for Lynn, brother of the Governor General of India, and so on. In all, there are about 100 gentlemen qualified in this manner as voters in the county without having lived in it in the whole course of their lives, or having any other concern with it, and that in a small constituency, where 100 votes are no mean weight to be thrown into one scale in the course of a contest. The writer continues in this way—

> "You may be met with the assertion that faggot votes have been manufactured by the Liberals. This has been done to the extent of only four votes on a property purchased by our late Member, Mr. Lamont, much against the wish of his best friends. These votes have now ceased to exist, being recalled by Mr. Lamont."

This is all we did in Bute, and the gentleman who did it was so satisfied of the error of his own ways that he recalled all these votes. Similar attempts were made after the defeat of my hon. Friend Sir Michael Shaw Stewart, when he was defeated in 1865 by the late Member for Renfrewshire, whose death we all deeply lament. On that occasion he put between thirty and forty gentlemen upon a block of houses in Pollockshields, for the purpose of restoring the balance of parties for his own side in the constituency, and he did it so ingeniously that, although objected to at the registration court, the votes were all sustained, except in one case in which the voter did not appear to defend his qualification. Here is the statement from a paper which I believe Gentlemen on the other side are not exceedingly fond of, whose large circulation throughout Scotland has been a topic of great envy, and they have attempted, but attempted in vain, to supplant the good teaching of that eminent and distinguished publication by circulating a halfpenny periodical. But then the halfpenny would not take. Tory principles in Scotland are so little palatable that they were driven to subscribe to promote and circulate gratis a paper of Conservative tendencies; and even that, I believe, has utterly and entirely collapsed. But here is the statement which is made by the *Scotsman* with regard to Sir Michael Shaw Stewart—

> "Finding that he cannot be Member for Renfrewshire through the votes of the inhabitants of Renfrewshire, he has, along with his agents, passed a resolution that he shall be Member for Renfrewshire by the votes of the inhabitants of anywhere else."

The writer then proceeds to point out what gentlemen of sound Conservative principles were put upon the property in Pollockshields. It may be said, "Oh, but probably the increase of the franchise has created a larger constituency in the smaller counties, and it does not follow that we can object to men being qualified in this way." The great objection I entertain, however, is not so much to the qualification as to the fact that they are people not connected with the county. If you took your shepherds or your factors the case would not be so strong. But I will cite a case, stated by one of your own friends, to show that non-residence is absolutely necessary for the manufacture of these votes. I will quote the evidence of Mr. John Hope, a Writer to the Signet, who was examined before Mr. Horsman's Committee, regarding thirty life-renters he had foisted upon two farms of Lord Hopetoun's. He said—

> "None of the thirty reside in the county. I studied as much as possible to obtain the consent of persons connected with the county, but there is great difficulty in getting people to take the votes. In 1837 I went about for nearly two months, and had the greatest difficulty in getting the number I wanted—17. In 1838 I only wished two persons, and I exerted myself as much as possible, and could only obtain one; and I had to fill up the other qualification with my own name, having reserved myself for such a contingency."

The agent of the party is searching high and low—not, like Diogenes, seeking for a just man—but for a man who will accept these fictitious votes, and undertake to vote always in the way in which the proprietor wishes. But it may be said that these are matters concerning proceedings under the Act of 1832. What I complain of is that under the Act of 1868 the system is now being perpetrated, and, so far as I know, perpetrated by only one party in the State. By the Act of 1868 we supplemented the franchise of 1832. We gave the franchise to persons holding property below £10 in counties, down to the ownership of property of the value of £5 a year. The object of that enactment was—and I do not think that any Gentleman on the other side of the House will contradict me—that whatever the legal wording might be, the spirit and equity of the Act meant that you should enfranchise the small artisan, the small proprietor, the small shopkeeper, living in the county and belonging to the county, whose voice up to that time had not been heard in the Constitution. And what are you doing? You are selling properties to rich merchants in Glasgow, to rich proprietors in other parts of the country, for the purpose of multiplying £5 owners, who shall swamp and not represent the feelings and opinions of the county. No less a number than thirty-four of these voters are being created in this way in the neighbourhood of Peebles alone. Now, there is a curious piece of evidence connected with these transactions. A man, to obtain a vote, must be in possession for six months at least before the 31st July. I hold in my hand a copy of the register of seisins for the county of Peebles, and I find there thirty-four gentlemen registered as proprietors and life-renters on house property in Peebles, and if you look through the list, you will find that every-one of these deeds was signed on the 28th, 29th or 30th January last, just six months before the 31st July. They are not conveyances of separate houses, but of small portions of houses, many of them being half-flats, of the value of £5 to £7 or £8; and if any of my English Friends do not know exactly what a "half-flat" means, I will explain. It means a half-floor. These new proprietors comprise no less distinguished people than four Messrs. Kidston, of Glasgow, merchants and shipowners, who are registered upon a small house—so small that none of the tenants of the house have any vote at all. There are four rooms below and four rooms above. Each of these gentlemen owns two rooms on each floor—each, in fact, has got half-a-flat; and that is intended as a representation of property. A gentleman who owns a couple of rooms in an attic in a back street of Peebles is to be considered as a true and honest representative of the county of Peebles, while the people living in those same houses have no votes at all. I do not think that the House of Commons will consider that such proceedings are anything but a fraud. It never could be intended that the rich merchants of Glasgow should be registered in this way, simply and solely for the purpose of gaining a vote in counties with which they have no connection. But there is another feature. The property is sold, most of it, by one gentleman. There is only one agent for the buyer and the seller. Who is that agent? The political agent of my hon. Friend the Member for Peebles, or the political agent of his party in Edinburgh. The whole of this, I think you will agree with me, shows distinctly the object for which these properties have been transferred and have appeared upon this register. We do not know how many more fictitious votes of different kinds may have been manufactured. They need not be produced until the registration court is held. What I hold in my hand is therefore, at any rate, the least that has been done in the county of Peebles. Now, Sir, I do not want to be too hard on one county. I propose to ask the House to grant a Return on this matter, so that we may ascertain how far this system has been carried on in the various counties of Scotland. I have given the House as much information as I have on the subject, and I think they will feel with me that, before any plan of remedying such a great defect and so great a fraud upon the legislation of this House is devised, we should have sufficient information upon which to act. But I may be asked, "What remedy do you propose?" Well, if I were to propose the remedy which I wish, it would be the remedy which was suggested on every Scotch hustings throughout the last election—a remedy to which I believe every Member for Scotland on this side the House is pledged—namely, the equalization of the county and burgh franchise. But I know there are many eminent men on this side of the House who are not prepared to go to that length. The other thing which I would propose as a remedy is the condition that residence shall be necessary in counties as well as in burghs. I have had it objected to me, "Oh, but you will disfranchise an enormous number;" and some have said I should disfranchise a very large number of my own friends. Well, the view I take is that the remedy for any special evil should be based upon a principle; and when you have once found the principle that will be the true corrective, you should adopt that, no matter whether it is at the expense of your friends or your foes. My belief is that the vote is a personal privilege, and is not the privilege of property, though property has been for many years adopted in this country as a means of testing the qualification for a vote. The Tories, on the contrary, have always maintained consistently that the vote represents property; and therefore they only adopt this system upon the principle that it is the property that should vote, and not the man. I maintain that it is the person and not the property that has the vote; and I say that by making residence the condition we should give to every man in this country only one vote, and place every individual upon the same footing of political rights. That is the only true and just principle. Why is one man to have nine, ten, or a dozen votes, whilst his neighbour—poorer than himself, but perhaps far better in intelligence and knowledge—is only to have his miserable one vote? The hon. and learned Member for Richmond (Sir Roundell Palmer), stated in this House on one occasion that he had votes for no less than twenty-five Members. I can myself vote for nine. In old days, before railways existed, it mattered very little how many of the counties a man had votes in, for he never could vote, except in very special circumstances, in more than one county. But now that by railways you can move about very rapidly, you have multiplied the power of voting, and have practically introduced into our political system that objectionable principle of giving votes according to the amount of property. I contend that this is not right, and I think I could refer to very high authority on this subject. An eminent lawyer, an honour to his own country and to his profession, made, in 1848, an exceedingly admirable speech upon this matter, and with the permission of the House I will quote a passage—

> "The principle of the Reform Bill," he said, "was not to give the franchise to the property but to the electors. The possession of property was taken, not as a qualification properly speaking, but as a test. It was held to be the test of two things: first, of the capacity to give an independent vote; and, secondly, of the territorial interest in respect of which a vote was given. The whole system of the Reform Bill is territorial. It does not make this or that man in any particular locality vote for all the members which Scotland sends to Parliament. Each man is to vote in his own locality. If it were desirable to go to Parliament for any remodelling of the electoral system, I am perfectly clear that the principle of residence under some modification or other is the only one that can secure true representation."

Those were the principles uttered in 1848 by my right hon. Friend the present Lord Advocate, and I hope he will legislate on them in 1869. We are told it is too soon to meddle with the Reform question; and that, out of deference to the feelings I suppose of hon. Gentlemen opposite, we ought to let this matter simmer on till another Session. But if you do not legislate now, depend upon it that before next September the register will be crowded by these fictitious votes. I trust, therefore, that the Government will not hesitate, but at once find some remedy for this evil. The adoption of actual residence for county voters may be one way of effecting it, but as that may interfere with those who have long possessed votes, it would perhaps be wiser to go step by step. It may be done by enacting that all proprietors under £10 should be required to be resident in the county where they vote, or the condition of residence might be attached to those holding a qualification below that necessary for Commissioners of Supply. Others propose that a £20 or £14 qualification should be the proper limit; and with a view to test these various limits, I shall move for a Return that shall give us the non-resident owners of each county in Scotland, the value of whose holdings are under £100, £50, £20, £14, and £10, and then we shall see how far, by adopting any one of them, we should disfranchise the present voters. My belief is that if we adopt the £20 limit, we shall not disfranchise a single one. Our rule should be to adopt a limit that will not disfranchise any real *bonâ fide* voter. The remedy in the case of the life-renters is simple enough. It is that those who receive the life-rents should be infeft in the property, and so to make it a *bonâ fide* possession. There should also be a provision preventing owners being tenants of the life-renters. You may limit the life-rent under the Act of 1832 to meet the case of ministers and schoolmasters, who are very proper persons to have a vote. There is another mode of multiplying votes—by creating a number of joint tenants. This might be met by requiring personal residence in every case; but, inasmuch as the Act of 1868 provides that in small properties there shall not be more than two joint tenants possessing the franchise, that practically meets the evil; but as regards the life-renters and great proprietors and owners of property, the House will agree with me that we ought to adopt some limit, and not allow the county votes to be made by fraud. I only allude to the case of the hon. Member for Peeblesshire as an example, and not personally. It is simply an instance of the working of the system. The case of manufacturing votes in England may be cited, and we may be reminded of the votes created to promote the objects of the Anti-Corn Law League, and probably the right hon. Gentleman the President of the Board of Trade will be alluded to as one of the greatest manufacturers of votes. I shall be twitted with that, but I would remind hon. Gentlemen that the creation of those votes was for a great public purpose. [*Laughter.*] Hon. Gentlemen may laugh, but they cannot deny the fact that the votes created by the League were in furtherance of a great public object, whereas those created in recent times by the Tories were for personal aggrandisement, and there is a great distinction between the two. ["Oh, oh."] I must further observe that the votes created by the League were, as I am informed, not faggot but *bonâ fide* votes. Be that as it may, I will go as far as any man in adopting a system of legislation which will put a stop to creating fictitious votes, and maintaining the honour and dignity of our Legislature. I hope I shall receive the support of the House in moving for the Return to which I have alluded.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Return, in a tabulated form, from each county in Scotland showing the total number of non-resident proprietors qualified to vote for a Member of Parliament, distinguishing in separate columns the number of those whose property in such county as shown by the Valuation Roll is of less annual value than £100, £50, £20, and £14, and also those at and under £10 respectively; showing the nature of the qualification whether Fiars, Life Renters, Superiors, or Feuars; also the number of such County Voters resident within any Royal or Parliamentary Burgh within each county respectively,"—(*Mr. Craufurd,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GRAHAM MONTGOMERY said, that, after the pointed allusions which had been made by the hon. Member who had just sat down (Mr. Craufurd) to the two counties he had the honour to represent, he felt called upon to make a few observations upon the subject before them. At an earlier period of the evening a Petition had been presented with reference to his seat, and he could not help saying that if this question had been raised in consequence of the small majority of three by which he had been elected, he thought it would have been much more straightforward had the ordinary course been adopted which was usual in cases where the return of a Member was sought to be set aside. It had been truly represented in the Petition that there were fifty votes of the kind referred to in Peeblesshire. These life-rents were of two kinds; some, which might be called the old life-rent votes, were created avowedly by the Conservative party in self-defence, for the practice of manufacturing life-rent votes was commenced by the Whig political agent in 1835; and the proof that the Conservative votes so created were *bonâ fide* lay in the fact that these remained on the register till the present day, whereas the others had long ago disappeared. The other kind of life-rent votes were of a later creation, having been created by gentlemen in favour of their sons, brothers, and other near relations. In such a practice there was nothing whatever to be complained of; on the contrary, he stood there prepared to defend it. It was a right and a proper thing, he maintained, for a gentleman having sons to interest them in the political welfare of the county where they were bred and born. And the reality of these life-rent votes had been proved on two or three occasions, when, the holders of the life-rents having become bankrupt, the creditors seized upon and sold this interest. With regard to the counties both of Peebles and Selkirk, he could state that before the last election the business of the registration courts occupied a very long time, occasioning enormous expense to those concerned, and ending in numerous cases of appeal to the Court of Session. The lists therefore were thoroughly scrutinized, and he did not believe there was a single vote upon them to which the character of an illusory or fictitious vote could for one moment be applied. The question of residence was, no doubt, an important one, but he should be sorry to see it made a condition of the franchise. It was a common practice in Scotland, in the smaller villages, for persons who had quitted them in early life to acquire property in them when their means enabled them to do so, without the slightest intention of residing in them; and there was no pretence for saying that there was any collusion between them and anyone else for the purpose of supporting any political party. If residence were made a condition of the franchise, all these non-resident owners would be excluded from exercising the franchise in those localities, the connection with which they so highly valued. The hon. Member for Ayr (Mr. Craufurd) truly stated that before the Select Committee in 1838 no point was more strongly pressed than the desirability of making residence a qualification of the franchise. But did the Committee adopt that recommendation? On the contrary, no one could read their Report without perceiving that they had arrived at an opposite conviction. Upon the general question as to whether the system of creating votes in support of a particular political party was right or wrong, he offered no opinion. But as a distinction had been set up in this matter between the cases of England and Scotland, he might refer to one instructive passage from the Report of the Select Committee of 1846, which considered this question as relating to England. The Report set forth that as the law stood facilities undoubtedly did exist for creating votes by granting rent-charges and splitting up small freeholds, and that such facilities had been taken advantage of by different parties at different times and in different degrees, for the purpose of increasing their electoral influence. In many cases these new electors were connected with their respective counties in no other way than by their share in the county franchise. That appeared to him quite as strong a condemnation of the system in England as anything which had occurred in Scotland. The hon. Member for Ayr referred to the proceedings of the Anti-Corn Law League; and it had been stated in the Scotch papers that the right hon. Gentleman the President of the Board of Trade was to address the House upon this occasion, and to declare his views. When the right hon. Gentleman did so, he trusted he would say whether he thought the Anti-Corn Law League were justified in the proceedings which they took to cut up with 40*s.* freehold votes the West Riding of Yorkshire, Surrey, and other counties. The proceedings of the League were all fully detailed in the Report to which he had just alluded; and if he was not mistaken, that body even went the length of advertising in the public papers, requesting persons to come forward and make purchase of these votes. He would not futher detain the House, but would express his own strong opinion that the Member for Ayr had made out no case whatever for Parliamentary interference.

Mr. CHARLES DALRYMPLE said, the course taken by the hon. Member for Ayr (Mr. Craufurd) might, perhaps, be justified if he could succeed in obtaining from the House a definition of what a "faggot" vote really meant. At an indignation meeting on the subject held in a Scotch town and reported in a newspaper, the large circulation of which, according to the hon. Member for Ayr, was matter of envy to Conservatives, two definitions of the word were given; and though he did not think that either of them was strictly accurate, he would state them, as they might amuse the House. One speaker said—

> "If you turn to a dictionary for the word 'faggot,' you get as its meaning, 'a soldier numbered on the muster-roll, but not really existing.' Faggot voters in a county I take to be men numbered on the roll of electors, but not really existing."

Another speaker declared the meaning of the word "faggot" to be, "a bundle of sticks tied together for the fire," and added that "faggot voters were voters bound together by a political tie for the purpose of carrying fire and destruction to a *bonâ fide* constituency." The Member for Ayr said he did not bring forward this question in a party spirit, but immediately afterwards made use of this expression—"The Tories are desirous of having property, and property alone, represented." Sheltering himself under the example set the night before by an ex-Secretary of State, he (Mr. Charles Dalrymple) would venture to assert, with great deference to the hon. Member, that "a more nonsensical remark could scarcely be made." The speech of the hon. Member showed that he did not attach one iota of credit to the party lately in power for the part they had taken in the Reform Bill, or he (Mr. Charles Dalrymple) should say, that their share in that Bill ought to free them from any such ridiculous charge. The hon. Member for Ayr had alluded to the county of Bute, but was altogether mistaken in supposing that all the faggot votes there were on the Conservative side. A particular inquiry had been made into this subject, in consequence of an assertion that his (Mr. Charles Dalrymple's) return was owing to the faggot votes. The facts were these—At the last election, fifty-eight of these votes were given to the Conservative side and forty to the Liberals, the majority by which he was returned over his opponent being 165. He was ashamed to trouble the House about personal matters like these, but he was practically compelled to do so, after the course taken by the hon. Member for Ayr. It had been alleged, and truly, that he (Mr. Charles Dalrymple) was a faggot voter, but he had not recorded his vote in his own favour, although, according to the newspaper reports, that course, if he had thought proper to adopt it, would have been justified by the step which the very highest authority in that House had taken, in voting for himself. There was no connection, he was bound to say, between the recent election for the county of Bute and the creation of the vote in his favour. He would make one more remark, and that was with respect to some of the names to which allusion had been made. None of the names which the hon. Member had read to the House were those of gentlemen who were not more or less connected with the county of Bute. The hon. Member for Ayr justified the course taken by the Anti-Corn Law League, by the assertion that they only created votes with a high political object. Well, he could assure the hon. Gentleman that there was not a single vote made in the county of Bute which was not made with quite as high an object. After the late Reform Bill, the number of towns enfranchised was so great that the voice of the country districts was scarcely heard; so that if a landlord occasionally encourages his relations and friends to buy a qualification in his county, even then the landlord interest in the county would be imperfectly represented, as compared with the influence of the towns. As the hon. Member for Ayr had referred to Rothesay—and he would say that it was the only large town in his constituency—and though he had received support from a large number of the new electors there, he should have no objection to return to the Anti-Reform Bill settlement, and to make Rothesay one of the towns connected with the Ayr District of Burghs.

SIR EDWARD COLEBROOKE: Sir, with regard to the Petition which has been presented this evening, the hon. Baronet opposite (Sir Graham Montgomery) must have laboured under a misapprehension in supposing that there is any idea of raising the questions as to his title to sit in this House upon that Petition. The petitioners were, however, in my opinion, fully justified in setting forth the grievances under which they laboured in consequence of the large number of non-resident voters, who turned the scale in their unfortunate county, or rather counties. I say unfortunate, because that part of the country enjoys the unenviable notoriety of having been the scene upon which this battle of faggot votes has been fought for the last thirty years. I remember it being stated to me by a friend who is now no more, and who contested Peeblesshire thirty years ago, that if all the resident voters in that county had voted for him, there were enough of non-resident voters to turn the balance. Without examining very closely the accuracy of that opinion, which may, perhaps, be open to doubt, I find some proof of the statement in the Report of the Committee which sat on the question of fictitious votes nearly thirty years ago; in which the register of these two counties was referred to, and it was stated that the constituency was almost doubled under the system which had been put in operation. I will not enter into the question as to who began this system. I think that from whatever quarter it was begun it deserves our condemnation, and that it ought everywhere to be received with reprobation, in order that it may be checked in future. I trust that this House and the Government will think that now is the time when they should be alive to the necessity of taking steps in this matter. I am justified in saying this, because I made an appeal to the last Parliament on this subject. Although the hon. Gentleman opposite (Mr. Dalrymple) says that it is not a party question, I was opposed to a man by hon. Members opposite. I made my attempt both upon the English and Scotch Bills, but, although I was unsuccessful, I predicted that the question would, in Scotland at least, crop up again. I admit that this question does not now occupy the same position as it did thirty years ago. The system as it then stood was full of the grossest abuse, and has been described by my hon. Friend (Mr. Craufurd) as almost amounting to an interchange of bonds which might be destroyed in the following week; but such a system could not exist under present circumstances, and the scrutiny which follows the voting. It is obvious that wherever we have low property qualifications the desire will be felt to bring persons from a distance as purchasers, in order to overbear the natural constituency. I think there is no class of people who feel a stronger interest in the franchise they possess than the residents in the Scotch counties which are the subjects of this discussion. I wish to impress upon the House that there is a strong disposition to get rid of the evil. Public attention has been attracted to this question and to the system by which property is registered in such a manner that the public can ascertain where and how they pass from one hand to another. In the present instance many of the properties are created by gentlemen connected with Edinburgh and Glasgow, who have no connection with these counties; this being so, the object of the manufacture of these votes is perfectly plain. It is a singular fact that in the Petition which has been sent from these counties, fifteen out of the 300 signatures are those of gentlemen who voted for my hon. Friend (Sir Graham Montgomery) at the last election. With regard to the remedy, I think that the application of some such test as you take in boroughs would be advisable. I think that the hon. Gentleman the Member for Ayr has taken the right course in moving for Returns which will be of service to the House in considering this matter.

Viscount BURY said, that although he was now an English Member he had been the representative of a Scotch constituency; and, perhaps, because he did not now represent a Scotch constituency, he might speak more freely of the system of creating faggot votes. It was not often that Members were converted by arguments used in a debate; and he confessed that, when the hon. Member for Ayr rose, his idea was that the hon. Gentleman (Mr. Craufurd) would have done well to recollect the maxim *quieta non movere.* He must admit, however, that he had been convinced by the arguments he had heard, and especially by those used by hon. Gentlemen opposite. They confessed that there was a vast number of faggot votes, but they contended that they represented the true and intelligent opinion of their constituencies. No doubt this was the case; but, if so, they had much better be returned by the intelligent voters of the district than by votes created in this manner. It was highly advisable that faggot voting should be discontinued, for the system neither reflected credit upon the hon. Members who were returned by it nor upon that House. He did not concur in the remark of the hon. Member for Ayr (Mr. Craufurd) that a person possessing a large territorial position ought not to possess more influence than one who possessed merely a cottage. He thought that the territorial magnate must necessarily be in possession of more political influence than one who, to use a common saying, "had a lesser stake in the hedge." But, at the same time, he did not think that the creation of fictitious votes could by any possibility conduce either to the purity of election or to the honour of that House.

Lord GARLIES said, that after what had dropped from hon. Members opposite, the statement of the hon. Member for Ayr (Mr. Craufurd) that this was not a party or personal question could hardly be said to have been substantiated. It had been said by hon. Members, that whenever a non-resident was registered on a £5 qualification, the vote must be taken to be a fictitious one. Now, he could only say he had several applications from gentlemen, of whom he had never previously heard, who happened to have originally belonged to the county he represented (Wigtown), requesting that his political agent might find properties on which they could secure a vote. [*A laugh.*] Hon. Gentlemen opposite might laugh, but, perhaps, it would not be very pleasant to them to be informed of the reason given for those applications. It had also been said that strangers had no business to possess votes in small Scotch counties; but if strangers might not vote in small Scotch counties, was it proper for large Scotch counties to be represented by Members who had no title in the county at all? If the principle were carried out, where would the hon. Members for Perthshire, Renfrewshire, and also the gentleman who sought to represent Dumfriesshire, now be?

Sir ROBERT ANSTRUTHER said, he must remind the noble Viscount (Viscount Garlies) of the fact that the hon. Members (Mr. Parker, Mr. Bruce) to whom he had just alluded had been returned not by faggot votes, but by the free and unbiassed liberal voters of the counties. That was deyond all dispute. The noble Lord objected to them because they were Englishmen—["No, no!"]—well, because they did not reside in the counties they represented; but if that was an objection in the eyes of the noble Lord, it was no objection in the estimation of the whole of Scotland. The fact only showed that, failing to secure good and true Liberal representatives in those counties they looked outside for them, and there could be no doubt those who had been selected did them the highest credit. With reference to the more general question, he did not envy the position of the hon. Gentlemen who had addressed the House from the other side on that occasion. In default of a shadow of argument in support of the present system it had been asserted that it was an admirable system by which a gentleman could assist his sons, nephews, and other near relatives to obtain votes in the county in which he lived. But the lists did not fulfil the hon. Member's own conditions. It appeared from the roll for the two counties of Selkirkshire and Peeblesshire, that the faggots were not sons and nephews of proprietors in those counties. They had not the most remote connection with those counties, but were persons from Berwickshire, East Lothian, Aberdeenshire, Edinburgh, Dumfriesshire, and other counties; and the parties had even gone as far as the county of Fife to import from that distinguished county the Conservative agent and his son. [Sir Graham Montgomery: There is not one of them on the roll yet.] He only hoped the Government would take such steps as would prevent their ever getting on the roll. Public feeling in Scotland was undeniably strong on this subject and was daily becoming stronger. The intention of the Legislature in passing the Reform Bill was that the *boná fide* opinion of the Scotch constituencies should be made known in the election of their representatives; and he contended that where a large body of non-resident voters were brought into a county, they swamped and destroyed the voice of the electors, and prevented a free expression of their opinion. He strongly advised the Government to deal with the matter with a bold and unsparing hand, and if they did so, he could promise them the support of every liberal-minded man in Scotland.

Lord HENRY SCOTT: Sir, the hon. Baronet who has just sat down has said that it is an unjustifiable act on the part of any person to increase his interest in the political condition of the county in which he resides by giving votes to his sons, nephews, and other relatives. I do not think that the hon. Baronet has given fair interpretation of what has been said on this side of the House. No one on this side has maintained for a moment that he has a right to create fictitious votes. The existence of fictitious votes is what is denied. Having long represented the Selkirk constituency, I can safely say that, with the exception of those votes which were put on the roll in 1835, and which are certainly open to the charge of being fictitious, there have been no such votes created in the county of Selkirk. In the Report of the Committee of 1838 on the fictitious votes in Selkirkshire, it is stated that it was not to be wondered at that in a small county where the parties were so equally balanced, they should struggle for the mastery; and they began—which made the first start it was immaterial to inquire—by creating fictitious votes; but these votes are now nearly exhausted by death, bankruptcy, and other causes. We have since had a certain number of voters imported from the neighbouring counties. They have bought properties, and paid for them with their own money, and they have a fixed *boná fide* interest in these properties. If you are going to alter the Reform Act, and say that a man shall not have a vote for any place except where he is resident, that is another question. That would be altering the Reform Acts of 1832 and 1868, providing that the county representation should rest upon property, and, however much the arguments of the hon. Member for the Ayr Burghs (Mr. Craufurd) pointed to manhood suffrage, I am glad those Acts did not assert that principle, and I hope the principle of a property qualification will always be maintained in the electoral franchise. If it can be proved at this moment that any man is a fictitious voter, let him be struck off. This is surely a matter strictly for the registration courts. Very recently, in the county of Midlothian, seventy joint proprietors in a small oil factory claimed to be placed on the register; they belonged to the Liberal party, but were objected to as fictitious, and the names were struck off the roll. I maintain that that is the proper way to deal with them. The Liberal party, although anxious to cast odium on their opponents in reference to the creation of fictitious votes, did not scruple to try and sustain those votes in the registration court. I only hope the

Returns moved for will be given, because they may be of use to both sides of the House. The question should not be dealt with as affecting particular cases, but should be decided on a broad principle applicable to the country at large.

Mr. BRIGHT: Sir, the hon. Baronet who represents two counties of Scotland (Sir Graham Montgomery) is quite mistaken in supposing that I was anxious to address the House on this question; but he made some observations which I may be justified in attempting to reply to. He quoted, as an authority for what is now complained of, the course taken more than twenty years ago by the council of the Anti-Corn Law League. It may be a sufficient answer to the hon. Baronet to say that on that occasion the whole of the Conservative party in this House utterly condemned the course which was taken by the Anti-Corn Law League. I say, therefore, that unless hon. Gentlemen opposite have entirely changed their opinions on this matter, they must utterly condemn the practices to which our attention has been directed to-night. A Committee was moved for, I believe by the hon. Member for North Warwickshire (Mr. Newdegate), and an attempt was made to show what bad things the Anti-Corn Law League was doing. One of the cases referred to in it was brought before a court of law—I think before the late Lord Chief Justice Tindal. He not only supported the vote, but declared that it was quite within the purpose and privileges of the British Constitution that the franchise should be extended by those means which were sanctioned by the law. But bear in mind that there was this distinction: the votes made by the Anti-Corn Law League were real votes, not sham votes like these which are being manufactured in Scotland. What we did was to ask the population of the counties, who, under the £50 tenancy clause had almost no representation, to avail themselves of the 40*s.* freehold franchise, and to purchase qualifications and become electors in their counties. I do not pretend to say there were no persons who bought votes in other and adjacent counties. I will not overstate the case at all, but the general course was to advise the populations of Leicestershire, Yorkshire, and Cheshire to buy properties in the counties in which they lived, and thus to enfranchise themselves. But judging by the statement of the hon. Member for Ayr (Mr. Craufurd), and other Gentlemen who have spoken, it is quite clear this is not the course which has been taken in Scotland. When you buy, or obtain these faggot votes, you cannot give me one of them; I am of different politics. It would be a breach of trust if I were to ask and you were to propose to give me one of them. You cannot sell them even, at least, if you were to propose that, you must sell them to one of your own politics. I can quite understand that that Gentleman who ran to and fro upon the earth—to find two or three different persons whom he could qualify—might have found great difficulty in discovering any specimens of the Tory persuasion in Scotland. If he had been willing to have as electors persons of Liberal opinions, no doubt he could have found persons who could have qualified without going out of his own village. Therefore, the difference is all the difference in the world. In our case the votes were real votes, and we held the property which could be sold, and could be left by will; but in your case your property—if it be a property—has none of these qualities, and in point of fact is no property whatsoever, and the vote is no real vote according to the principle of English law, and is a sham vote. You are doing that which the English law would most certainly condemn. I look upon it that making votes in this way, coming in among a constituency so small—they have in fact no large constituencies—as those county constituencies to which reference has been made—is really making war on the British Constitution. There are many ways of disfranchising a constituency. You may pass an Act and get rid in that way of all the electors; but if you introduce persons who are not resident in the county, and have no property in it, you may just as effectually get rid of the constituency, and as completely disfranchise it as if you passed a Bill for the purpose. Hon. Gentlemen opposite profess to defend the Constitution. I think if they consider the matter as it has been debated to-night they will feel that the course is not only foolish, but that it is wrong, and Gentlemen returned by votes of this kind must feel that they would much rather be returned by the uncontrolled expression of the real will of the whole constituency. The House has done a great thing within the last three years upon this question of the representation. It is, I believe, resolved, having given a wide suffrage, to endeavour to make the suffrage pure and real; and we have got rid of the foolish and ignorant idea of past years, that there was something injurious in having real representatives of the people in this House. Having come to that conclusion, why should not hon. Gentlemen opposite take the course which some gentlemen in Scotland, who would sit on this side of the House were they in it, have taken, and give up a practice which they themselves must condemn, and which whenever they speak of it as practised by a Liberal they condemn just in the same manner as we condemn it. If it should not be abandoned, it will, I should think, become the duty of Parliament to take some steps by a short Act or by the introduction of some words to make this fraud impossible? If you send a man to gaol for stealing a pocket-handkerchief, what should be done to a man who, in the face of the noble representative Constitution of this country, invades a county, and by means which the law never intended to sanction, and the principle of the law emphatically condemns, shall defraud the whole resident population of the county of the franchise, and of the electoral power which the law has conferred upon them?

MR. HUNT said, he had not intended to take part in this debate, but the vehement expressions of the right hon. Gentleman opposite induced him to make one or two observations. As one hon. Gentleman after another had risen and declaimed against the practices they were considering, he could not help making the reflection, "What hypocrites we all are!" The right hon. Gentleman who had just sat down said that when the creation of faggot votes was instituted by the Anti-Corn Law League—

MR. BRIGHT: No. I did not say the Anti-Corn Law League created faggot votes; I said exactly the reverse.

MR. HUNT said, he was sorry if he had misinterpreted the right hon. Gentleman, but he certainly understood him to say that the Tory party condemned the creation of faggot votes by the Anti-Corn Law League. That was the impression he had given the House. ["No!"] If the right hon. Gentleman did not mean that, it was impossible to say exactly what he did mean; he stated that when the Council of the Anti-Corn Law League suggested the creation of faggot votes the Tory party objected. ["No!"] He (Mr. Hunt) thought they should not be unfair to one another; each party, no doubt, did its best to secure a predominance in the constituencies by every means the law allowed; when the effect was against the Opposition the Opposition complained of the practice; when the reverse was the result the other side complained. His hon. and gallant Friend behind him, (Mr. Dalrymple) had said that fifty-eight faggot votes had been polled for him and forty for his opponent; and no doubt if the numbers had been reversed his hon. and gallant Friend would have remonstrated against the practice. Judging from the vehemence of hon. Gentlemen on the Ministerial side of the House, he presumed the balance of advantage through the practices referred to was on the Conservative side. It was, therefore, natural that right hon. Gentlemen opposite should make themselves out to be monopolists of public virtue and patriotism, and that their opponents ought to be reprobated. His experience had been that Conservatives of great territorial influence in counties were met by energetic Liberals getting up land societies and enabling cottagers to become freeholders by paying 1*s.* a week or 1*s.* a month until they purchased their houses. He had been present at registration courts when the question was fought out whether the freehold in question was worth 39*s.* 6*d.* or 40*s.* Now, what did the landed proprietor do to counteract this endeavour to upset his legitimate interest as the owner of 5,000 or 6,000 acres? Determined not to be beaten by the Anti-Corn Law League, or some other society in London, he thought that, as his eldest would some day inherit his property, there was no harm in his becoming possessor of a portion of it at once; so he made over some land to him, and perhaps did the same by a younger son, that both might throw their votes into the scale and defeat the ends of the land society, who, under the pretence of benefiting the poor man, designed to deprive the landed proprietor of some of his proper weight in the county. The right hon. Gentleman opposite had said that Chief Justice Tindal had laid it down that these votes were within the purpose of the law. [Mr. BRIGHT: Real votes.] But the question was what votes were real. If these practices ought to be put an end to let them have a Committee on the subject and see what should be allowed and what not. In his opinion they had wasted a good deal of time that night in raking up personal questions between this great man and that great man. The debate had not added much to the dignity of the House, for the question, if raised at all, ought to have been debated with much less acrimony and party spirit.

THE LORD ADVOCATE said, he did not at all agree with the right hon. Gentleman who had just sat down, in thinking that the debate had not added to the dignity of the House. On the contrary, he thought that his hon. Friend (Mr. Craufurd) had done good service in bringing the subject forward, and that the right hon. Gentleman had also done good service by the tone in which he had discussed the proposition before them. He agreed, however, with the right hon. Gentleman that the question ought not to be discussed in a party spirit, and further, he admitted that those on his side of the House were not entitled to assume that they were the sole depositaries of electoral purity. He recollected the beginning of this system in Scotland, and a more disgraceful or degrading system it was impossible to imagine. It was put in practice by both parties; he would not say by whom it was commenced, because he did not know. The question, however, ought not to be who began it, but who was to put an end to it. He hoped that would be the only question that would be asked in future. He had been in hopes that the system had come to a natural termination. The noble Lord who had addressed the House a little while ago (Lord Henry Scott) was quite right when he stated that since 1836 no fictitious votes had been created in the county which he represented. The practice had died out altogether since that time until 1865, when it was revived, and the other day indications were given that it was again going to commence. It was in vain to go back to the past, and to bandy recriminations in the matter; hon. Gentlemen could not but see that the times were changed, and that influences which were looked upon with a lenient eye before would not be tolerated now by the enlarged constituencies. The last Parliament had given a great boon to the people which had been received with gratitude and enthusiasm, and it was the duty of Parliament to see that the boon was protected and not abused. There was one great evil in the system complained of, and it was this—that it was as near a system of corruption as anything in which honourable men could engage could be. Parliament was trying to prevent electoral corruption, and yet, by this system, they would import into a county a set of voters who must in honour vote one way. In Scotland that evil was felt much more because the constituencies were so small. In large constituencies like the English counties the representation could not be affected by such a system; but in Selkirk and Peebles, if they were to allow non-resident voters to come in, they would over-ride the resident constituency. He would not say anything about the Anti-Corn Law League and its Council, further than that there was a great difference between their case and that which the House was now discussing; but this he would say, that he had always held that it was far more constitutional and far better for the country and the people to leave voting and the acquisition of qualifications to the natural course of things, and not to interfere in one way or another to increase the constituency. The right hon. Gentleman (Mr. Hunt) had suggested that a Committee should be appointed, and that the matter should be inquired into calmly and deliberately. Whether that course ought to be followed, or the Government were to attempt to legislate upon the subject; or they were to wait to see what effect the expression of the opinion of the House might have upon the country, he would not at that moment attempt to say. But this he would say, that the course complained of could not be continued, for the people would not submit to it. It might be that the landed interest in Scotland was not so fully represented in that House as the landowners and perhaps some others might wish. But he could only say that territorial influence was to be acquired by other arts and other means—by sympathizing with the people, by feeling as they felt, and sharing in their sentiments. That was what would give the landlords an influence which they never could acquire by such a system as that which had that evening been brought under the notice of the House. He would beg his hon. Friend to withdraw his Motion, and the Returns would be granted, as a matter of course, if he would move for them on Monday.

Amendment, by leave, *withdrawn.*

MAIL PACKET CONTRACTS.

MOTION FOR A SELECT COMMITTEE.

MR. SEELY said, he rose to move for a Select Committee to inquire into certain contracts entered into by the Postmaster General with Messrs Cunard and Mr. William Inman for the conveyance of mails to the United States. On the 20th of March, last year, on a Resolution moved by the hon. Member for Montrose (Mr. Baxter), a debate occurred on the subject of postal contracts, when the practice of giving fixed subsidies to special lines of steamers was condemned by almost every person who spoke on that occasion. It was likewise contended that in the several contracts which might be entered into all the companies should be placed on the same footing as to terms of payment and conditions of service. The right hon. Gentleman (Mr. Hunt), who was then Chancellor of the Exchequer, said—

> "He did not think there was any real difference of opinion between the Government and the hon. Member who brought forward the Motion."—[3 *Hansard*, cxc. 2017.]

His right hon. Friend the President of the Board of Trade closed the debate, and recommended the hon. Member for Montrose (Mr. Baxter) to withdraw his Motion, and he did so. But anyone who would examine the contracts to which he was now calling attention would see that those two principles of no fixed subsidy and of equality of condition between the several contractors had not been complied with. On the 25th of June, last year, the hon. Member for Hampshire (Mr. Sclater-Booth), who was then Financial Secretary to the Treasury, in answer to the hon. Member for Montrose, said that—

> "It was the intention of the Government in making new contracts for the conveyance of the mails to place all the companies on the same footing as to terms of payment and conditions of service."—[3 *Hansard*, cxcii. 2132.]

But, instead of equality, it was found now that Messrs. Cunard were to receive a fixed subsidy of £70,000 a year for two services a week, and Mr. Inman £35,000 for one weekly service, while the North German Lloyd were to have no fixed subsidy, but only the sea postage, so that what they should receive was to depend on the number of letters they carried. Then Messrs. Cunard were not tied to perform the passage in any given time, nor was Mr. Inman, but the North German Lloyd Company, which had no subsidy, were bound to a particular time, under a heavy penalty if they did not keep it. Again, Messrs. Cunard were to have a contract for eight years, if the House ratified it, and Mr. Inman for eight years also, while the North German Lloyd Company could be sure of their contract only for six months, when the Post Office might put an end to it, and he understood that the Treasury had written to the Post Office, recommending that it be put an end to. On the 20th of March, 1868, the right hon. Gentleman, who was then Chancellor of the Exchequer, said, that—

> "According to the calculation of the Post Office the sum eventually agreed to be given exceeded by only £1,500 the sea postage they were likely to earn."—[3 *Hansard*, cxc. 2018.]

It was now admitted, however, by the Post Office that the loss was £22,500. But if the Committee which he moved for was granted, he would undertake to show that the loss, taking the sea postage only into account, would be much more like £40,000. The condition in former contracts that there should be a sorting-room on board the steamers had not been enforced in this case. It might be urged by the right hon. Gentleman opposite that the Government did the best they could, and that they had no option but to take the offers made to them. Now, he contended that there were other lines of steamers which would have been able to perform that service; but that was a question which was, perhaps, better fitted for discussion in a Committee. At the same time, he might mention that there were the two Glasgow Companies' steamers, the Hamburg steamers, the North German Lloyd's, and other Companies, with some of which he did not believe there would be any difficulty in arranging for the service to the United States—he believed that the Hamburg Company would have given them a Saturday service if required—and the Post Office could compel Messrs. Cunard to have taken ship letters at 1*d*. each, and there were penalties for delay. He was aware that it would be urged that it was necessary that the vessels should call at Queenstown, but the Hamburg steamers could be got to do that. The Inman line when it had a contract which did not bind it to call at Queenstown nevertheless did so. All last year the Inman steamers called there, having only the sea postage, and they would have gone on doing it. He maintained that it would have been quite easy to get as good services as those they had now obtained, and in support of the assertion he would read the opinion of the Duke of Montrose, when Postmaster General, expressed on the 24th of October, 1867. His Grace's opinion was given in these terms—

> "The Cunard Company, though no longer under contract with us, would, it is well known, continue to despatch their ships as at present, and would assuredly endeavour, and very properly endeavour, to place the packets under contract with us in a disadvantageous light. It has been thought that we might put ship letter mails on board the Cunard ships. If we did so, the Cunard Company would, no doubt, endeavour to carry those mails so well as to make the public draw an unfavourable comparison between the foreign company which was within, and the British company which was without, the pale of a contract with the British Government."

That opinion was contained in Parliamentary Paper No. 42, page 37; and it appeared to him almost to dispose of the question. By the contracts now on the table of the House they would get two good services a week for £105,000; whereas on the basis of the tenders issued in 1867 they might have had three good services weekly for the sea postage only — namely, one by Mr. William Inman's vessels, one by the North German Lloyd's, and one by the Hamburg Company. The contract for 1868 contained no fixed time within which the service should be performed, and no penalty for exceeding the time; whereas, in 1867 there was a fixed time, with a penalty. It was now proposed —excluding the route of the North German Lloyd's, which was to cease—to have one line of Cunard's quick steamers, one line of Cunard's slow cargo boats, and one of Mr. William Inman's vessels. They might strike out the Cunard's slow cargo boats, because they were generally overtaken by boats which left one, two, and in some cases three days afterwards. By the proposed arrangement they would also be tied for eight

years, and would in all probability not get a daily mail during that period. Now, in 1866, Lord Stanley of Alderley, then Postmaster General, said he thought a daily mail was a very desirable thing, and that it might be obtained. So under these contracts they would discontinue, in all probability, the North German Lloyd's service—a good service, costing £12,000 a year, the sum which they received for postage; and they would get the service of the Cunard's slow boats on the Wednesdays for £35,000 a year. As to speed, the Cunard boats, which would be under no penalty as to time, went at the rate of 12 knots an hour by the measured mile. On the other hand, the Hamburg Company had one boat the speed of which was over 13 knots by the measured mile, four boats the speed of which was over 14 knots, and it was no extreme calculation to say that in all probability, before these contracts expired, they might have boats which would go 15 or 16 knots an hour. He was informed that the Messrs. Cunard were not building any new vessels, while other companies were building new vessels and fast vessels. And he prayed the House to remark that of the twenty boats which the Messrs. Cunard kept to perform these services there were only six fast and fourteen slow vessels; and whatever time they took the Post Office could not say they had not fulfilled their contract, because it had accepted those slow boats, and knew, therefore, that a good speed could not be obtained from them. The United States sent no mails by the Cunard cargo line. The form of tender issued in 1868 required the different companies to be bound to time, and the fourth clause contained a penalty for not keeping time. The Messrs. Cunard and Inman struck out those clauses. By a Return he had got from the Post Office he found that between the 1st of January 1869—the commencement of the contract—and the 8th of February the Messrs. Cunard and Inman's boats made sixteen voyages, nine of which exceeded time. In two cases the excess of time was one day and a half; in another case, nearly three days; in another, over three days and a half; and in another, over four days and a half. The proper time was twelve days. The North German Lloyd's vessels during that period made five voyages; and in two cases they exceeded time—in the first case four hours, and in the second eighteen hours. Would it not be better, therefore, to dispense with the slow boats and keep the North German Lloyd's boats? Again, he objected to contracts of this kind being entered into for a term of eight years, because they would in all probability be pleaded as an argument against any reduction of the rates of postage. The renewal of the contract with Messrs. Cunard in 1858 was alleged again and again as a reason why the postage should not be reduced from 1*s.* to 6*d.*, and it was stated by the Postmaster General that that contract entailed a loss of over £100,000, whereas by arranging with other respectable owners of ships the postage might have been reduced and a saving of £100,000 a year effected. He confessed he looked forward with great hope to the reduction of the postage between this country and the United States from 6*d.* to 3*d.*, or even a smaller amount. At all events, he felt satisfied that before long arrangements would be made for fixing the postage at 3*d.* Nay, he even went further and maintained that it would be wise for us to reduce the postage to 1*d.*, for he believed that the loss we should thereby incur would not be nearly equal to the amount we expended by reason of the contract entered into with Messrs. Cunard. He strongly objected to the system of giving fixed subsidies to particular firms. A kind of monopoly was by that means built up which was highly injurious to parties who did not share in it. On the 22nd of November, 1867, Mr. Inman wrote to the then Chancellor of the Exchequer a letter containing the following passages:—

> "Any advantage given to them [that is, the Messrs. Cunard] can only injure the public service. . . We have as good a fleet as the Cunards; our company is seventeen years old."

And in the same letter they expressed their willingness to take the sea postage. In another communication they stated that to give Messrs. Cunard a greater subsidy than the Inman Company would be to enable Messrs. Cunard "to underquote our rates of freight" and make Inman's ships go empty. No doubt these arguments were very telling as against Messrs. Cunard, but they could now be applied with equal force against Mr. William Inman. He understood, and in fact he knew, that Messrs. Cunard had informed the Post Office two days ago that if the Motion of which he had given notice were carried they would not call at Queenstown to-morrow. The Motion they alluded to was his original Motion, in which he asked the House not only to appoint a Committee but to withhold their approval of the contract until that Committee had made its Report. Since then, however, he had so modified the Motion that it only related to the appointment of a Committee. Now, he confessed that to his mind it was a somewhat strange and novel thing for a private company to place itself in opposition to the power of Parliament. He would say nothing about their want of patriotism, but it would be for the lawyers to determine whether, in the event of Messrs. Cunard's boat not calling at Queenstown to-morrow, they would not place themselves in a difficulty. At all events, the House of Commons ought not to allow itself to be influenced by a threat of this kind. He might likewise remark that the commercial men of London need not be under any apprehension that even if Messrs. Cunard should not call at Queenstown their letters would not be forwarded to the United States. He held in his hand the copy of an offer which a Hamburg Company had made to the Post Office to the effect that their boats for carrying the mails to the United States should call at Queenstown, and that they would comply with all the conditions in the contract of Messrs. Cunard, with the sole exception of that which bound them to allow the Government to purchase their vessels in the event of war; and they offered to carry the mails for £25,000 a year instead of £35,000.

MR. BAZLEY, in seconding the Motion, said, he wished to state why he disapproved the contract which had been laid upon the table. In the first place, the system of subsidies had long been condemned by this House, and he therefore regretted that this contract should have been proposed. Like his hon. Friend the Member for Sheffield (Mr. Mundella) he was a warm advocate of a 1*d.* postage to America. The mere freight of letters across the Atlantic would not cost more than £5 per ton, whereas 1*d.* for each letter would mount up to £140 per ton. There was ample reason, therefore, for supposing that a 1*d.* charge would give a sufficient profit to induce owners of vessels to carry the mails. If there were no monopoly, we might have a daily communication with America. The Secretary to the Treasury of the late Government, during a discussion which took place last year, stated that it was the intention of the Government authorities "to put an end to subsidizing lines of steamers and establish free trade in the carrying of letters;" and the Chancellor of the Exchequer stated that he was desirous of seeing the postal service across the Atlantic self-supporting, and that it was in that spirit that future contracts would be entered into, but that it would not be advantageous to fetter the hands of the Government or lay down such a rule as was then suggested. He thought after such statements they would have some difficulty in explaining why these contracts had been so impetuously entered into.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Contracts entered into by the Postmaster General with Messrs. Cunard and Co. and Mr. William Inman for the conveyance of Mails from this Country to the United States be referred to a Select Committee of this House,"—(*Mr. Seely,*) —instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

THE MARQUESS OF HARTINGTON said, that as the Government did not propose to offer any opposition to the Motion for the appointment of a Committee he should not trouble the House with any very lengthened observations on the subject. He should like, however, to enter a little more into detail than he had been able to do in answer to a Question which had been put to him a few evenings before, with respect to the course which the Government had taken in the matter, and the reasons which had induced them to take that course. As he had stated in reply to that Question, the Government, when they came into Office, found that the contracts were completed, as far as it was possible, by the action of a Government, to complete them. They had been agreed to by the Government and the contractors; they had been approved by the Treasury, and actually signed, and had it not been for that provision which had of late years been introduced into all contracts of the same nature, that they should be laid for a period of one month on the table of the House, and not be binding if before the expiration of that time they had been disapproved by the House, it would have been impossible for the present Government to put an end to the contracts without a direct breach of faith with the contracting parties. The Government were perfectly aware that many Gentlemen on their own side of the House—many Members too, he believed, of the present Administration—were altogether opposed on principle to the granting of subsidies for the performance of postal service. They had, therefore, to consider whether they would make use of that power which the proviso in the contract placed in their hands, and take upon themselves the responsibility of recommending the House to withhold its sanction from contracts which had been entered into by their predecessors. They thought that, wholly irrespective of the policy of those contracts, it would have been very unwise and inexpedient that they should upset the action of their predecessors. They arrived at that conclusion on general grounds altogether apart from considerations of the policy of the arrangement. They were of opinion that the Government in future negotiations with commercial companies would be placed in a very disadvantageous position if such an element of uncertainty were to be introduced into their dealings as that, on account of a change of Government, engagements entered into on perfect good faith by both parties should be liable to be set aside. Besides he very much doubted, on looking at the Report of the Committee, on whose recommendation the proviso to which he had referred had been introduced into the contract, whether they ever intended it should be used for such a purpose. The Committee had pointed out that, under the system which then prevailed, the Department responsible for confirming the contract had very imperfect means of obtaining all the information which was necessary. They were also of opinion that the control which the House of Commons possessed over that branch of the public expenditure was very imperfect. With that view they introduced the proviso; but he did not find from the Report of the Committee that it had ever entered into the intention of any of its Members that the proviso should be used as a means of enabling any Government to upset the engagements of another. Under those circumstances the Government declined to take upon themselves the responsibility of recommending the House not to sanction the contracts. But they, at the same time, desired that if possible the House should have an opportunity, at an earlier date than that contemplated in the contract, of re-considering the whole arrangement. They had, therefore, entered into negotiations with the Cunard and Inman Companies with a view if possible to induce them to assent to a shortening of the term of the contract which was made by the late Government for seven years with one year's notice, or practically for eight years. They tried to get the Companies to agree to a curtailment of two years. On consideration the Companies refused to agree to any shortening of the term, but in the course of the negotiations Mr. Inman consented to alter the day of sailing fixed by the original contract from Thursday to Friday, which would be a considerable improvement on the whole arrangement. The Government certainly did not deem it to be their duty, because they did not approve of the whole arrangement, to act an over punctilious and somewhat pedantic part, and refuse to touch the contract even for the purpose of making in it what everybody must admit to be an improvement. He denied that there was any ground for saying that in the negotiations between the Government and the Companies there was anything which in the slightest degree diminished the freedom of action of the Government with regard to the contracts in Parliament. On the contrary, the action of the Companies in declining to agree to the shortening of the term which they proposed made it, to a certain extent, more difficult to defend in that House the contracts which had been entered into. He entirely repudiated the inference which he supposed was intended to be drawn by the Question which had been put to him by the hon. Member for Liverpool (Mr. Graves) that evening. that the Government in the negotiations had committed themselves to any greater extent than before. Having said thus much, he would very briefly state to the House what, in his opinion, were the advantages and the disadvantages of the arrangement, and why he thought the subject was one which might very well be inquired into by a Committee. It seemed to him that by means of the arrangement we should secure the continuance of that which we had enjoyed for a great number of years—that was to say, a very satisfactory and well-performed service between this country and America. Whatever might be the objections to the system, no one would, he thought, deny that the Cunard Company had conducted the service in a manner which, on the score of speed, regularity, safety, and general convenience, left nothing to be desired. The hon. Member for Lincoln (Mr. Seely) had made some observations about the boats which that Company now proposed to make use of, but so far as he was aware they had performed the service in the most admirable manner. The Company besides, he believed, pledged themselves—and he saw no reason to doubt the pledge—to perform those contracts in the same satisfactory manner. So that we should not only secure the advantage which we had hitherto enjoyed in that respect, but escape those disadvantages to which we should be subjected if the alternative course had been adopted. If the Government had refused to accept the offer which had been made to them by the Cunard and Inman Companies, there must for a time, at any rate, have been considerable inconvenience to be incurred. For a time we should not have the advantage of the ships of these Companies, and we should have to depend on the longer voyage which was performed by the German Company between Southampton and New York; while the mails would have to be despatched on a more inconvenient day for the commercial community, and we should have the further inconvenience of having our mails —he did not know whether the House would attach much importance to that point—conveyed not by a British, but by a foreign, company. There were, however, on the other hand, no doubt, disadvantages in the arrangement. It was much more costly than the alternative one at present, and would, he believed, very probably be more costly in future. But the great objection to which, in his mind, it was open was that it bound us for a long term of years to one particular arrangement. As the hon. Member for Lincoln had said, there was a very great desire—and he believed a growing desire—to reduce very considerably the rate of postage between England and America. It was quite possible that that desire might become so strong that this country would consent to give up something of the rapidity and the punctuality of the mail service in consideration of obtaining a very great reduction in the cost. Even should that not be so, it was possible that, by adopting some such system as had been adopted by the American Government, we might get the service performed at a greatly reduced cost, and with equal efficiency. But under the present arrangement our hands would be tied for nearly eight years, and it would become a matter of very considerable expense to the revenue to effect any material reduction in the rate of postage between the two countries. There were, no doubt, other considerations to be taken into account, but those appeared to him to be the chief advantages and disadvantages of the arrangement, and they were matters which, in his opinion, might very properly form the subject of discussion before a Committee of that House. He was also of opinion that the Committee might very well get through the inquiry and report to the House within the time which had yet to elapse before the contract became binding, and that the House would have an opportunity of coming to a decision on that Report. The Government were further of opinion that the subject was not one on which it was their duty to recommend any definite course of action to the House. The Government as a Government had done nothing to put an end to the arrangement which had been entered into by their predecessors, nor to induce the House to assent to that arrangement. The contractors, they thought, must have been perfectly aware that the decision of the question would rest ultimately with that House, and there was nothing which could render it necessary for the Government either to be the defenders of their predecessors in the matter, to dictate any particular course of conduct to the House, or to prevent a full and impartial inquiry into the whole case, which would enable hon. Members to form their own opinions on the whole case. For these reasons the Government assented to the appointment of the Committee, and if the inquiry were conducted in the spirit which he had suggested, it might, he believed, be terminated within the prescribed time.

MR. GRAVES said, as it would probably become his duty to divide the House upon this Motion, he regretted that so important a subject should be brought forward at so late an hour—half-past twelve. It was not, apparently, a mere question of these particular contracts, but the whole principle of subsidies had been raised. The noble Marquess who preceded him had told them how tenacious a Government should be before upsetting the acts of a preceding Government; but what must have been the impression produced by the speech of the noble Marquess upon every candid and impartial mind? Upon his mind the impression certainly was that, though outwardly the noble Marquess desired to preserve neutrality, inwardly he desired that the acts of his predecessors should be upset. As to the hon. Member (Mr. Seely), his quotations about subsidies and his general objections respecting them would have been much more in place if made last year, but since March 20 of last year this House had confirmed and ratified a most important contract with the West India Royal Mail Company, extending that contract on terms infinitely more advantageous to the Company than those proposed in the present case. By preserving silence at that time the hon. Member was a consenting party to those contracts, and to the principle of subsidies. As to the statement that no time was guaranteed in the performance of this contract, the answer was that Messrs. Cunard had never guaranteed their time; but did experience of the way in which the service was performed show that there was any need for such a guarantee? Their own reputation was a far better guarantee than any condition as to the number of days and hours could be. Again, comparison was made with foreign companies, and one might really fancy that one was not in a British, but in a foreign House of Parliament, to see the evident sympathy that existed for foreign competitors, and the hostility shown to English companies. These foreign vessels were not built under such a survey as was imposed by our Government; they did not even come under a passenger survey; and he believed that there were 200 tons less weight of material in their construction than English vessels had to carry. That would account for speed in the foreign vessels, but he maintained that the Cunard and most of the Inman boats delivered their letters in New York sooner than the boats of any of the foreign companies. Some allusion had been made to the fact that Messrs. Cunard were building no vessels, but this House was to blame for that fact. It was the temporizing policy of Parliament and the uncertainty of the continuance of the contracts which had prevented Messrs. Cunard from building; but as soon as these contracts were ratified they were prepared to go on building the class of ships that were suited for the conveyance of the mails. A remark had been made by the hon. Member (Mr. Seely) which he hoped was unintentional—namely, that the owners of these boats should be compelled to carry the mails at 1*d.* a letter. On reflection, the hon. Member would hardly adhere to this remark, for it could not be the wish of Englishmen so to deal with those who maintained the maritime supremacy of this country; and it never was contemplated that the obligation placed on ships to carry letter-bags should embrace the regular mails of the country, for those, if forced on a shipowner, could be frustrated by delay in delivery. Then as to the threat which, it was alleged, had been used to this House, the contracting parties had a perfect right, in case the House would not ratify the agreement, to act as self-interest dictated. It was true that when they first saw the Motion placed on the Paper, the effect of which would have been to annul the contract, they wrote to the Post Office to say that they felt themselves released from further obligations, and would not allow their ships to call at Queenstown. As soon, however, as they saw that the hon. Gentleman had amended the terms of his Motion—merely asking for a Committee—they wrote to state that it would not be necessary for them to act upon the previous letter. No such threat, therefore, was in existence. He presumed that what were required as essential conditions of any contract for conveying the mails between this country and America were rapidity, regularity, and safety. Cost was, no doubt, a consideration, but it was of secondary importance when compared with the other conditions, and the country would condemn any saving which was effected at their expense. Now, what were the facts of the case? In 1866 the Government of Lord Russell believed it was possible to carry on a proper service based upon a system of ocean postage and not of subsidies. They advertised for tenders, and some four were received; but the Post Office Report was that the public would practically only have two mails a week, leaving Southampton on Tuesdays and Fridays, and no foreign company volunteered to call at Queenstown. Messrs, Cunard declined to tender on the prescribed conditions, but sent in a specific proposal to convey the mails for a specific sum. That sum was considered too high, and ultimately an arrangement of a temporary nature was come to for the conveyance of the mails, at £80,000 for the year. Last year the attempt was renewed, and tenders were invited. Messrs. Cunard and Inman refused to tender, and the only parties who responded to the invitation were the North German Lloyd's, going once a week. Messrs. Cunard and Inman, however, sent in proposals of their own to carry the mails for ten years; the former for £100,000 and the latter for £50,000. The Government did not agree to this, but made a counter proposal to pay Messrs. Cunard £70,000 and Messrs. Inman £35,000 for seven years, and these terms were accepted. The gross postage received was £112,000, but the North German Lloyd's received £10,000 out of this sum, thus virtually leaving £100,000 to meet £105,000, the amount of the proposed guarantee. He did not wonder that the Treasury desired that the arrangement with the North German Lloyd's should be cancelled, seeing that their boat sailed on the same day, Tuesday, and was frequently outstripped by the Queenstown route. Contrasting this contract with two other contracts based upon subsidies, which had been virtually adopted by the House within the last two years, he did not hesitate to say that, taking efficiency and speed into consideration, there would be something inconsistent in adopting the Motion before the House. If any company deserved confidence it was the Cunard Company, which for thirty years had carried the mails, and had never failed to keep their appointed day, unless detained by the orders of the Government, and had never lost a letter or a life. When that Company commenced their career the carrying trade on the Atlantic was in the hands of the Americans, but now it was in the hands of Englishmen, and the Company, had, without recompense, adopted Queenstown as their port of arrival and departure, at a cost to themselves of £10,000. They had also, at a critical time, shown the value to the country of their magnificent service. He did not mention these facts to influence the opinion of the House, but to claim fair consideration for old servants. Neither was the Inman Company less entitled to consideration. For nearly twenty years they had fought their way on the Atlantic, and their vessels were as creditable to England as the Cunard's vessels. Allusion had been made by the hon. Member for Manchester (Mr. Bazley) to a penny ocean postage, as if these contracts would interfere with the accomplishment of that idea. All he could say was that, seeing that a letter to Paris now cost 8*d.* postage for the same weight, the adoption of a penny postage to America must lead to an entire revision of the whole postage system. If a letter could be carried to New York for 1*d.*, people would begin to ask how it was that a letter sent merely from one part of London to another cost just as much for postage. At all events these great experiments should not be tried at the contractors' expense, but at that of the country. Whatever might be the amount of postage, these contracts would not stand in the way of arrangement on that point. With respect to subsidies, there was no doubt that the tendency of opinion in late years had been in favour of doing away with them, and he had been inclined to adopt that opinion. But new circumstances had arisen which that House must not lose sight of. France and other nations had entered on a career of competition with this country in respect to carrying letters. France was subsidizing fast lines of steamers with heavy bounties to New York, to the Antilles, and to Mexico; and what did they get?—£350,000 a year, besides a loan of 10,000,000 francs for twenty years without interest. The French nation paid 16*s.* a mile for their subsidies; while under this contract England would pay 2*s.* 6*d.* Was that fair competition? There was an English company with which he was connected which ran vessels monthly between Valparaiso and Panama. The French thought that their flag should appear in the Pacific, and a proposal was made to subsidize a company. The English company to avoid competition, offered to take the French mails for nothing. But the French Government, anxious that their flag should fly in the Pacific, paid to the Trans-Atlantique Company 8*s.* a mile for the carrying of the mails. Unless the House was prepared to deal liberally with the English companies, it could not be expected that they would maintain the steam lines. The establishments of the English companies had greatly added to the strength and power of this country, and had formed a great nursery of seamen for times of emergency. The enlightened Ruler of France desired to possess the same advantages, and this country, therefore, must not stand idly by, and treat a fair offer to carry the English mails in the way in which it was now proposed to treat it. He objected to the Committee which had been moved for, because the object was not to inquire into the terms of the contracts, but to upset the contracts after they had been ratified by the previous Government, and after the faith of the present Government had to a certain extent been pledged to it. He looked upon the Motion for a Committee as a systematic and organized attempt to get rid of the contracts. If the question was sent up to a Committee, they would have only twenty days to consider the matter, and ten of those days would be holidays. It would not, therefore, in his opinion, be possible to obtain a Report before the contracts would by time be ratified. He thought the House was the most competent tribunal to consider the question, and as a question of principle was involved in the matter he would take the sense of the House on it, though he was willing to have the debate adjourned. He had fair grounds for so acting, because the contracts, regarded in all points of view, were such as ought to be sustained. For £105,000—the whole of which sum except about £3,000, would be covered by the postage—there would be three services a week, all starting from Queenstown, and looking to the regularity, punctuality, and speed of the service, he believed that a more fair or moderate arrangement could not be made. The country would not be satisfied with so great and serious an alteration as was proposed, and on these grounds he asked the House to hesitate before they refused to ratify a fair, and equitable arrangement.

SIR FRANCIS CROSSLEY said, that as one who had a large connection with America, he was of opinion that we should be better served by free competition than by subsidies and engagements for eight years to come, especially as regarded the communication with a country our relations with which were increasing week by week, so that eight years hence we did not know how many steamers might be running, and how much better terms we might be able to make. He had no objection at all to a little foreign competition; on the contrary, when he found that anything was manufactured abroad better than it was in this country, he bought samples in order to display them here. He had no objection to the Cunard Company having a portion of our traffic, or the whole of it if they could work it as well or better than others; but do not let us give them a monopoly for eight years. The hon. Member for Liverpool (Mr. Graves) had endeavoured to make it appear that this was a question of faith as between one Government and another; it was no such thing. The House was quite competent to deal with it, and, indeed, why should there have been an alteration of the law, giving the House a month to consider contracts, if they were to have no control over them?

MR. EUSTACE SMITH said, the contract with the Cunard Company did not come before the House now for the first time. Some years ago it had the exclusive conveyance of the mails of the English Government, and the subsidy was justified upon the ground that no other company could be found to perform the service with such speed and punctuality. Experience had shown that a company without a subsidy—namely, the Inman Company—had attained such a position that the Cunard Company had been obliged to treat it as a partner. If we were free and offered no subsidy at all, the result would probably be that in a few years we should have a daily line of steamers to America, equal either to the Cunard or to the Inman line. In no way could this House be accused of a breach of faith, either positively or constructively, if it refused to ratify a provisional contract; because any man who entered into a provisional contract with the Government for the conveyance of mails did so with the knowledge that it was within the province of the House to treat the contract as the contract with Mr. Churchward was treated.

MR. HUNT said, they were discussing the question under considerable disadvantages. There were upon the table of the House the contracts in question, and a Treasury Minute would throw no light upon them; but there were other Papers of the greatest importance without which the House could not come to a fair conclusion on the subject. Why were these Papers not produced? These contracts were concluded by the late Government some time before they went out of Office; there had been abundant time for the Papers to be printed, and if the usual practice had been followed they would have been placed in the hands of Members at the same time as the contracts themselves. The non-production of them was, no doubt, an oversight; possibly it was due to the confusion that might have arisen from the new distribution of business at the Treasury. It used to be the business of the Financial Secretary to the Treasury to lay these Papers on the Table; it was possible the Financial Secretary might have thought it was now the business of the Third Lord; and the Third Lord might have thought it was the duty of the Financial Secretary. At any rate, it was the duty of the Government to have produced them, and they had not done so; and he said it was the duty of the Government because the time allowed to the House to consider the contracts was so short. If the House was to pass contracts in review, a month was the shortest time that could be allowed, because there were often voluminous documents, and other business of great importance must have its place. In a Session like this, when men's minds were occupied with one great question, the time seemed particularly short. We had arrived at the 13th of the month; and the contracts having been placed on the table on the second of the month, more than half the time given for their consideration had passed before the necessary information was communicated. The Mover of the Amendment had had access to Papers at the Post Office, which, by the courtesy of the Postmaster General, he had also seen; but even if he had not seen them he should have had an advantage over other hon. Members, because his recollection would serve him as to what occurred when he was in Office. But this was not a position a Member of the House ought to be in; he ought not to stand in a position of exceptional advantage. He much preferred that the House should be in possession of all information, and then he thought hon. Members would conclude that the course which was taken by the late Government was one which ought to be endorsed by the acceptance of the contracts. The Mover of the Motion appeared to know more about the contracts made for the last year than about those for the next eight years; he dwelt largely upon the false estimate made by himself (Mr. Hunt) with regard to the postal service of 1868, and very little upon the estimate on which the Government undertook to enter into these contracts. The estimate he gave when Secretary of the Treasury of the amount that would be lost by the exceptional contract with the Cunard Company for one year was varied considerably by the non-realization of expectations as to the amount of postage from America, a large part of which the American Government preferred to send another way. Again, after the arrangements were made, they were discussed in the House, and, on the suggestion of the right hon. Gentleman now the President of the Poor Law Board, a contract was made with the Hamburg Company, whose earnings were deducted from the amount which otherwise would have been earned by the Cunard Company. To that extent the estimate of what we should lose by the Cunard Company was considerably enhanced. The contract was discussed fully at the time; and he stated that the Government did not consider the arrangement a good one, but it was made under difficult circumstances, and only for a year. It had been attempted to be shown, and had been insinuated by a question put upon the Paper, that there had been a breach of an implied promise on the part of the late Government; but there had been no breach of a promise at all, express or implied. On that occasion he expressed the opinion that the American service should be a self-supporting one; and he said now it was. He stated that he did not believe we could expect the service to be performed properly, except an arrangement were made for a term of years; and, he also stated that he thought it was wrong there should be different arrangements with different companies. A question had been raised as to the inequality of terms between the Inman and Cunard Companies; but in the present contract the terms given to both were precisely identical. In all particulars the arrangements which were made by the late Government had been fulfilled to the letter. What he laid down was the principle on which they ought to proceed. He objected to being tied down by a Resolution not to give a subsidy by a fixed payment, and he referred to the Report of the Committee on the subject which resolved that it was inexpedient to lay down precise rules. He said it would be utterly impossible for the Government to do its best for the country if it were bound hand and foot; and the Motion asking the House to bind the Government was withdrawn. It had been said that there should not be any fixed term of years appointed, but that the service should be open to any person or any company who would undertake it for the sea postage. But the Government offered to receive tenders exactly in those terms, and what was the result? They asked for tenders to start from Queenstown. In 1868, which they might regard as a trial year, they had had two services weekly from Queenstown and two from Southampton, and the proportion carried from Queenstown was 75 per cent and from Southampton only 25 per cent. The advantage in point of time by the adoption of Queenstown as the port of departure might be set down as forty-eight hours in the case of Ireland, thirty-six hours in the case of Scotland, and eighteen to twenty-four hours in the case of the English manufacturing districts; while the adoption of Southampton, even in the case of London, presented no advantage. The Government therefore advertised for open service from Queenstown, on terms of sea postage, terminable at six months' notice. It was an old proverb that you might take a horse to the water but could not make him drink, and the House might be surprised to learn that their invitation for this particular form of tender did not meet with a single response. One tender was received from the National Steamship Company. They, however, require us to make a stipulation in regard to half-ounce letters which it was impossible for us to comply with in consequence of our arrangements with the United States. The North German Lloyd proposed to take letters at 1*d*. per ounce, but also proposed that Southampton should be substituted for Queenstown, thus losing all the advantages in point of time which were to be gained by the adoption of the latter port. The Hamburg Steampacket Company also tendered, but required 288 days to perform the voyage during the summer months, instead of 264, and 312 during the winter months, instead of 288, and to start from Southampton instead of Queenstown. There were also two other tenders, one from Messrs. Cunard for £100,000 a year for two services, and one from Mr. Inman for one service for £50,000. The average length of the voyages of the respective lines for the first three months of the year was as follows:—Cunard, 11 days 8 hours; Inman, 11 days 22 hours; North German Lloyd, 11 days 12 hours; Hamburgh - American line, 12 days 2 hours. In the months of April, May, and June the average length of the voyage was as follows:—Cunard, 9 days 20 hours; Inman, 10 days 13 hours; North German Lloyd, 11 days 10 hours; Hamburgh-American, 11 days 23 hours. Now, it had been objected against the Cunard line that the contractors got as much out of the contract as they possibly could, and in return laid themselves under no obligations, inasmuch as they did not in any way tie themselves down as to time. But the answer that the contractors made was a very reasonable one. They said they were unwilling to hold out any inducement to the captains of their vessels to risk the lives of the passengers and crew and the safety of the vessels by endeavouring at all hazards and in all weathers to avoid the infliction of penalties. They reasonably enough pointed to what they had done in the past and, taking that as their guide, he thought they might trust them in the future, especially when they remembered that without penalties their vessels had kept better time than the vessels of others who were liable to penalties in case of their being overdue. The late Government had honestly and loyally tried the experiment which the hon. Member for Montrose (Mr. Baxter) had said they ought to have tried. For the decisions then made he himself was chiefly responsible, and that responsibility he was perfectly willing to bear. What were the Government to do? Those two Companies offered to conduct the service from Queenstown for a subsidy of £150,000, and for a term of ten years. He was satisfied that it was but reasonable to stipulate that the contract should be continued for a term of years, because it was evident that it would be impossible for persons to build suitable ships and conduct such a service unless such a condition were agreed to. They had in contemplation the reduction of the postage as soon as they could, and they believed that it might be possible to make that reduction at an earlier period. They were, therefore, unwilling to agree to the adoption of so long a term as ten years. They, therefore, insisted upon the term being reduced to seven years. The sea postage of the outward mails of the last year carried amounted to £101,700. According to calculation and according to the increase which had been going on of late years, the Department estimated that £111,870 would be the sea postage to be earned. They decided that the principle upon which they would act should be that the service should be self-supporting. Allowing a certain margin, they fixed the amount to be earned at £105,000, and allotted the dividend to each service to be performed—that was to say, £70,000 to Messrs. Cunard for the two services, and £35,000 to Mr. Inman for one. The Post Office authorities regarded the terms as preposterous, but the Government were firm, and the result was that, though with great difficulty, those terms were obtained. The hon. Gentleman the Member for Lincoln (Mr. Seely), said that there ought to be no subsidy, but that the line should be self-supporting. But the hon. Gentleman should remember that, even if the money was given in the form of sea-postage, it was till a subsidy and nothing else. He claimed also for their proposal the merit of being self-supporting. In answer to a memorial signed by some very influential gentlemen in the City, although the Government did not concur in the views of the memorialists, who thought that a gain in time and convenience would result from the arrangement they proposed, they assented to try the other services as a temporary matter. Now, if the contract held good, what would be their position in a few years? In 1871 the excess, as estimated, would amount to over £30,000, which would allow the postage to be reduced by 1*d.* By 1873 the excess on the postage to be earned—supposing the letters to go on increasing as they hitherto had done—would amount to £58,000 and would enable them to take off a second 1*d.*, and by the year 1876 the postage would amount to £218,000, and permit of their reducing it to 3*d.* Therefore the object the hon. Gentleman so much desired would be arrived at under the very arrangement which the Government had made. He had not the smallest objection to all these matters being referred to a Select Committee. Indeed, if he were to select one act of his official conduct which he would like more than another to be thoroughly inquired into, it was this one, because he believed it had been the means of giving the public the maximum advantage at the most economical price possible. What the people would be inclined most strongly to insist upon was efficiency and regularity, and they must remember that they could not get all the advantages of cheapness without losing some of the advantages of regularity. He wanted to know, if these contracts were not to be carried out, why the Inman Company were to be asked to change their days for sailing? But since the Inman Company had been led to believe that the contracts were to be carried out, the hon. Member for Lincoln had put his Motion upon the Paper. And what was that Motion intended to effect? He had heard of the evils of a weak Government —and unfortunately for himself he had been a Member of a weak Government—[*Laughter*]—that was to say, a Government which was not supported by a Parliamentary majority, and he had experienced much humiliation in consequence. But they were told that they had now a strong Government—a Government that could command a majority of upwards of 100; and what was the conduct of that strong Government? It came down to that House and said, "We wish to abdicate our functions in this matter—here are the contracts made by our predecessors—deal with them as you will, we decline to say whether they are good or bad, or to express any opinion whatever concerning them." Was that the part that a Government should take? He called it a poor, mean course for them to adopt. What would have been said had the late Government adopted such a course? But he denied that the late Government would have adopted such a course—they would have, at all events, avowed their opinions upon the subject. They might not always have been sufficiently strong to carry their opinions out, but they would, at all events, have avowed them, and would not have asked for a Committee in order to shelter themselves from the responsibility which justly attached to them. The Government had declared that they were neutral in the matter, but he wished to know whether the Government really were neutral respecting it? The hon. Member for Lincoln said he wished to refer the contract to a Committee; but what did he wish the Committee to do? The noble Marquess opposite (the Marquess of Hartington) had stated that, although it was not the view of the contractors, it was the view of the legal authorities that if the Motion of the hon. Member was carried as it originally stood, *ipso facto*, the contracts would be cancelled. He was, therefore, not surprised that the Government should have thought the original Motion of the hon. Member rather awkward, because in that case the public might have complained with just cause that at a few hours' notice the whole of the Atlantic postal system was put an end to. Under these circumstances, the Government had found it convenient that the latter portion of the hon. Gentleman's original Motion should be struck out; but although the terms of the Motion were altered, the original intention of its Mover to cancel the contract remained unaltered, and yet the Government, while professing complete neutrality upon the subject, supported the Motion. If there was to be a division upon this Motion he should not divide with the hon. Member for Liverpool (Mr. Graves) because he did not wish it to be supposed that he shunned investigation into the matter. Had he the wish to afford a complete triumph to the late Government, he should be perfectly willing that the contracts should be rescinded, because the state of things that would result to the public from the postal arrangements being suddenly upset would be intolerable, the present Government would be turned out, and a clamour raised for the return of the late Government to Office. He should, however, be sorry to secure any advantage to himself or to his party at the expense and inconvenience of the country; but what he wished to say was Do not let it be supposed that the Government was neutral in this matter. If they were indeed neutral and there was to be a division, let the Government walk out of the House, as he intended to do himself. He was not going to oppose the appointment of the Committee, because, for his own part, he should be glad to let it be seen that the statements he had made were correct. The late Government had acted with the best of motives, and with an anxious desire for the public service; and the appointment of a Committee would make that fully apparent to the public.

THE CHANCELLOR OF THE EXCHEQUER said, he did not exactly understand the position taken by the right hon. Gentleman opposite (Mr. Hunt), who said that those who supported this Committee were in favour of abrogating the contracts altogether, while at the same time he declared that he himself was also in favour of the appointment of the Committee. [Mr. HUNT: No.] At all events the right hon. Gentleman said he wished and desired that the Committee should be appointed, while at the same time he attacked the motives of those who supported the Motion. It was very easy to explain that which the right hon. Gentleman seemed to think so difficult—namely, the conduct of the present Government in this matter. Had the right hon. Gentleman thought fit he might easily have thrown the whole responsibility on the present Government by abstaining from executing the contract at the time when the late Government had made up their minds to quit Office. These contracts were not executed until after the present Government had formally accepted the Seals of Office from Her Majesty. He did not attribute blame to anyone; but the late Government chose to take upon themselves the responsibility of making the arrangement—as they were legally entitled to do—being still the Board of the Treasury till their successors received the Seals of Office. They exercised the power which was in their hands of binding the country to this most important engagement, and their successors had then to consider what they would do under the circumstances.

MR. HUNT said, he must ask leave to correct the right hon. Gentleman. It was either in September or October that the engagement was actually entered into. He could not give the date upon which the contract was finally signed, but he knew that everything had been settled by the Treasury long before there was any thought of resigning.

THE CHANCELLOR OF THE EXCHEQUER said, the Treasury Minute authorizing this contract was signed on the 9th of December; the present Government accepted Office and went to Windsor on the 10th; and on the 11th the contract itself was signed. The late Government had done what they were legally entitled to do, and, having acted upon their responsibility, the present Government considered themselves bound by the acts of their predecessors in Office. They considered themselves bound by a sort of official etiquette and necessity to carry out the acts of the late Government, and they accordingly felt themselves precluded from taking any part for or against these measures, and had not made any appeal to the House. As far as any statements of their own were concerned, they had observed a strictly neutral position, for they did not think it consistent with the dignity of a Government to be at the same moment carrying out an engagement entered into by others and taking part in the overthrow of that very engagement. That, no doubt, seemed very incomprehensible to the right hon. Gentleman. But he repeated and maintained that it would present a very regrettable, and even contemptible, appearance in the eyes of foreign countries if—having adopted the measures of the previous Government in good faith and honour—the present Government were to take part in getting rid of those very measures. That was the explanation of the conduct of the Government, and he hoped it was satisfactory to the House. He was very sorry that there had been any slowness in producing the Papers; they were in the printer's hands, and he could assure the right hon. Gentleman that they were not withheld with a view to prejudice his case. And he was glad to perceive that the right hon. Gentleman had been able to provide himself with such documents as were necessary. He had adopted the policy of the right hon. Gentleman and endeavoured to carry it out. But an hon. Gentleman (Mr. Seely) having—without any prompting from him or his Department or from the Government as a whole—moved that the subject be referred to a Select Committee, and the right hon. Gentleman opposite having acquiesced in that proposal, he should not be prevented by any taunts which might be thrown out from taking the course which he considered best under the circumstances. Investigation was challenged, and he thought it ought to be made. He offered no personal opinion upon the measure itself—that they had inherited from their predecessors; he was quite ready to go into Committee upon it; he had no wish to hide anything, and he was prepared to abide by whatever the wisdom of the House might decide.

Mr. HUNT said, the right hon. Gentleman opposite seemed to think that he had mentioned the dates inaccurately. He was now in a position to quote them from official documents. The offer was made by the Secretary to the Post Office to Messrs. Burns, M'Ivor & Co.—on the 1st of October; to Mr. Ingram on the 2nd of October; and accepted on the part of both those firms on the 7th of October.

Mr. PIM thought the Committee should be appointed or the debate adjourned for the production of Papers.

Mr. CROSS moved that the debate be adjourned.

Mr. GLADSTONE said, he hoped the hon. Member would not persevere in the Motion for adjournment which would cause the evasion of the inquiry. The case for the Committee was very strong, and the House could not otherwise perform an important duty which it had reserved for itself. The Committee would be appointed with no foregone conclusion. The sense in which it would be appointed would be to afford free scope for the exercise of a jurisdiction which in this particular case it had specially reserved for itself.

Mr. SCLATER-BOOTH said, he could not see how it was possible that an impartial Committee could be constituted in this case. It was quite clear the Mover could not be a Member of it, and his right hon. Friend (Mr. Hunt) had no intention of taking any part in it.

Mr. GRAHAM said, as the representative of a great mercantile community, he would support the Motion of the hon. Member for Liverpool. The Committee was only a means in order to get rid of the contract.

Mr. MACFIE declared he must do the same, unless he got a satisfactory explanation.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. Cross,*)—put, and *negatived.*

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 86; Noes 115: Majority 29.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Ordered, That the Contracts entered into by the Postmaster General with Messrs. Cunard and Co. and Mr. William Inman for the conveyance of Mails from this Country to the United States be referred to a Select Committee of this House.

Select Committee to consist of Seven Members, five to be nominated by the Committee of Selection, and two to be added by the House.

And, on March 16, Mr. Seely and Mr. Graves *added.* Power to send for persons, papers, and records; Five to be the quorum.

MUTINY BILL.

On Motion of Mr. Dodson, Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *ordered* to be brought in by Mr. Dodson, Mr. Secretary Cardwell, and The Judge Advocate.

Bill *presented,* and read the first time.

SEEDS ADULTERATION BILL.

On Motion of Mr. Welby, Bill to prevent the Adulteration of Seeds, *ordered* to be brought in by Mr. Welby, Mr. Brand, Sir Michael Hicks Beach, and Mr. Read.

Bill *presented,* and read the first time. [Bill 49.]

House adjourned at half after Two o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 15th March, 1869.

MINUTES.]—Select Committee—Despatch of Business in Parliament, *appointed.*

Public Bills — *First Reading* — Consolidated Fund (£8,406,272 13*s.* 4*d.*)*; Naval Stores * (33).

Committee—Habitual Criminals (18).

DESPATCH OF BUSINESS IN PARLIAMENT.

APPOINTMENT OF A SELECT COMMITTEE.

EARL GRANVILLE moved that a Select Committee be appointed—

To consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses.

THE EARL OF DERBY thought it comparatively immaterial whether the object in view was effected by means of a Bill or by a Joint Committee of the two Houses; but, as much must depend on the view taken by the Government, he wished to know whether they agreed in the desirability of remedying the evil complained of—namely, the paucity of Business before their Lordships at the commencement of a Session, and the undue pressure of Business at the close?

EARL GRANVILLE said, he thought it best not to enter into the subject prior to its consideration by the Committee; but he could assure the noble Earl that the Government were anxious to discover, through the medium of the Committee, some mode of remedying the evils complained of.

Motion *agreed to.*

Select Committee appointed, such Committee to consist of six Lords, three to be a quorum, "To consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses."—(*The Earl Granville.*)

The following Lords named members of the Committee:

M. Salisbury
E. Derby
E. Granville
V. Eversley
V. Halifax
L. Redesdale

And a message sent to the Commons to acquaint them that this House has appointed a committee of six Lords to join with a committee of the Commons "To consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses;" and to request that the Commons will be pleased to appoint an equal number of members to be joined with the members of this House.

HABITUAL CRIMINALS BILL.

(*The Lord Privy Seal.*)

(NO. 18.) COMMITTEE.

House in Committee (according to Order).

Clauses 1 and 2 *agreed to.*

Preliminary.

Clause 3 (Definition of "Court").

THE EARL OF KIMBERLEY moved to add at end of Clause—

"'Chief Officer of Police' shall mean within the district of the metropolitan police force the commissioner of police, or an assistant commissioner, or a district superintendent; in the city of London, the commissioner of police; and elsewhere shall include any of the following persons—chief constable, head constable, or other chief officer of police or of a division of police, by whatever name such chief officer may be called."

The intention of this, in conjunction with Clause 4, was to require the written authority of the chief officer for the arrest by any constable of a person suspected of dishonest practices. This had been done hitherto, as shown by the memorandum of the Chief Commissioner in the metropolis which had lately been presented, but the object was to convert the custom into a statutory provision.

Amendment *agreed to.*

Clause *ordered* to stand part of the Bill.

Part I. Criminals at large on License.

Clause 4 (Power to apprehend holders of license on suspicion).

THE EARL OF KIMBERLEY moved to insert in line 17 after ("may") the words "if authorized so to do in writing by a chief officer of police."

Amendment *agreed to.*

EARL GREY moved an Amendment; for the first paragraph of the clause as it stands in the Bill substitute the following:—

"Any convict who is the holder of a licence granted under Penal Servitude Acts, 1853, 1857, and 1864, may be required by a written order, signed by a commissioner or inspector or chief constable of police, to appear before a justice of the peace or other competent magistrate, at a time and place to be named in such order, for the purpose of showing that he is not getting his livelihood by dishonest means. Such order may be served on the convict to whom it is addressed by any constable or police officer, who may without warrant take into custody and bring before a justice of the peace or other competent magistrate any convict who shall have failed to obey such order so served upon him."

He said, that under any arrangement the power of the police would be excessive; but at all events he did not think the ticket-holder should be arrested without notice. It might indeed be urged that if served with a notice he would immediately abscond; but the Bill, it was claimed, would insure an effective supervision over these men in all parts of the kingdom—and indeed the whole system of licensing was absurd, unless the arrangements for supervision were such that sooner or later a man who ran away could be traced and visited with increased punishment. It would be very hard to the licensee to arrest him without notice, perhaps in the presence of his fellow-workmen, and under particularly painful circumstances, and it would be quite sufficient in the first instance to serve an order upon him to attend before a magistrate and give an account of himself. If he did not do so he could then be arrested in default.

THE EARL OF KIMBERLEY said, he hoped the Committee would not agree to the Amendment. It was obvious that if they gave any such notice to any suspected license-holder, he would take advantage of it to abscond, and thus the whole object of the measure would be defeated. It should be recollected that the men to whom this clause applied had been guilty of serious offences. He believed that the supervision of criminals by the police would be materially improved by the Bill, but it was idle to expect that it could be made so perfect that the police could at any moment lay their hands on a suspected character to whatever portion of the country he might remove. The Government were not desirous of making the law unduly severe, but he did not know why men who had been convicted of serious crimes should be dealt with with extreme tenderness. While permitting men, instead of passing the whole period of their sentence in a convict prison or at public works, to go out and earn an honest living, care must be taken that society was not injured by their release, and a vigilant watch must be kept over them. The Bill would permit the Secretary of State to dispense with the obligation of reporting themselves every month to the police, and they would not be arrested without the authority of a chief officer, who, from the responsibility of his position and his liability to public censure, if he gave such authority on insufficient grounds, would not be likely to interfere with any license-holder who was conducting himself properly.

THE EARL OF SHAFTESBURY said, their object should be to avoid giving publicity to a man's antecedents if he was earning an honest livelihood. The Amendment of the noble Earl would entirely defeat that object; and he feared that even the clause as it now stood would be too apt to produce the same effect. A person served with a notice in the presence of his fellow-workmen or arrested on suspicion would infallibly be dismissed.

THE EARL OF CARNARVON objected to the Amendment as one which, by giving the opportunity of escape, would nullify the operation of the Bill. There might be a hardship, as urged by the noble Earl (the Earl of Shaftesbury), in serving a notice on a man perhaps in the presence of his fellow workmen; but it should be remembered that they had a duty to perform towards the employer as well as to the man he employed. It would be very unjust to the employer to conceal from him the fact that he was trusting a man who had already been convicted on a criminal charge; and he believed that whenever that concealment had been practised it had been found to operate disadvantageously for all the parties interested. The great majority of employers were willing to give a fair consideration to the case of a criminal with whose previous history they had been made acquainted, and were disposed, on the other hand, to resent any attempt to keep them in a state of ignorance upon the subject.

THE EARL OF SHAFTESBURY wished to know the exact position in which the police were to stand with regard to employers. If a policeman thought it his duty to inform an employer that he had a ticket-holder in his service, the usual result would be the man's dismissal; and he had known several instances of the kind. A policeman, on the other hand, knowing that a man who was one of the greatest vagabonds was employed in a confidential situation in a large workshop, might not think it his duty to tell the employer the man's character. Some line ought to be marked out for the police to act on.

THE EARL OF KIMBERLEY said, it would be seen from the memorandum to which he had already referred that it was not the custom of the police to give notice to employers of the antecedents of licensees in their employ.

LORD HYLTON said, that if it was made difficult for these men to obtain employment through the publicity given to their previous character, and through the constant supervision of the police, the entire object of tickets-of-leave—namely, their absorption into the ranks of the industrial classes—would be defeated. He thought the clause might be struck out as unnecessary, for there was power for punishing men severely if they relapsed into crime.

THE MARQUESS OF SALISBURY said, he had been rather alarmed at hearing from the noble Earl (the Earl of Kimberley) that the police did not deem it their duty to inform employers of the true character of a man whom they might receive into their service. This might be merciful towards the ticket-of-leave man, but was it just towards his employer? The interests of the employer and those of the ticket-holder being in direct opposition, which of the two were the Government to consult? To allow the employer to suffer from the bad character of a licensee on the chance that the latter had reformed seemed to him a mistaken policy. The Government were every year secretly throwing on society a number of people who, from previous habits, were likely to plunder those under whom they served. The least therefore the Government could do to repair the injury to society was to insure that the police exercised that vigilant supervision which the employers, if properly warned, would exercise for themselves, and that at the first symptom of an inclination to resort to their old criminal habits, the employers should be saved from the danger to which the Government had exposed them. The tendency of the Amendment was one which had been too common of late years—namely, that when the interests of society and the interests of the criminals were in conflict it was the duty of the Government to care for the criminals more than for society. These men were making war upon society, and society ought surely to neglect no means of making war upon them.

LORD HOUGHTON said, he thought the noble Marquess entirely misapprehended the whole object of the ticket-of-leave system. The object of that system was to give a man a chance of returning to honest courses; but it was impossible that object could be obtained if publicity were given to the facts of his previous career. At Wakefield there was an organization by which every prisoner on his discharge, whether on a ticket-of-leave or otherwise, could find a home for six or twelve months until he could find employment for himself, or until an employer came to look for him. This had succeeded admirably, for 80 per cent of the persons who had been inmates of the institution had merged into the honest and industrious classes; and it would be well if such an institution were attached to every prison. To attempt to treat a man as a prisoner and yet as an honest member of society would never succeed; nor did he think we should try to introduce the status which unfortunately existed on so large a scale in some other countries, where men were walking about apparently free, and yet were really under the supervision of the law. He understood that a number of eminent Judges and magistrates were of opinion that the principle of this clause—the arrest of men on mere suspicion, without any *corpus delicti*—would be liable to great abuse and would never work satisfactorily. One difficulty would consist in determining what was an honest occupation. Were small retailers necessarily honest, or was the holding of shares in a limited liability company necessarily an honest occupation? The intention, of course, was that a man should have some means of living, so as not to be tempted by want to commit crime; but the inquiry and exposure now proposed would immediately deprive him of whatever honest occupation he might have.

THE EARL OF KIMBERLEY suggested that it would be more convenient that they should confine themselves to a consideration of the Amendment of his noble Friend, and that they should not enter into a general discussion of the clause.

LORD CAIRNS said, he preferred the proposal made by the Government to the Amendment of the noble Earl in this case. By the Government proposal the responsibility would be thrown upon the police of obtaining reasonable proof that the man was not making out a living by honest means, and so securing a reasonable certainty of the power not being improperly exercised; whereas the Amendment would enable the police to summon the man before a magistrate, and would impose upon him the task of showing that he was following some honest employment, and thus defeating the object in view—that men willing to be honest and industrious should not be disturbed without reasonable cause. If this provision were adopted, hundreds of ticket-of-leave men might be summoned before a magistrate on the mere responsibility of a constable.

EARL GREY explained that the Amendment, as well as the original clause, would require a constable to be satisfied that a man was living dishonestly before taking any action; the only difference between them being that under the former he would be served with a notice to appear, while under the latter he would be arrested at once. He did not desire, however, to press the proposal.

Amendment *withdrawn.*

THE EARL OF CARNARVON moved, in line 25, to leave out ("getting") and insert ("endeavouring to get").

THE EARL OF KIMBERLEY, while admitting the desirability of protecting licensees from unfair molestation, urged that a man, unless starving—in which case he would be sent to the workhouse—must be living either honestly or dishonestly. There was no intermediate stage, and he did not see how a magistrate could determine whether a man was "endeavouring to get" an honest livelihood.

LORD CAIRNS suggested that the object of the Amendment would be better attained by using, in the latter part of the clause, negative instead of affirmative words—namely, to alter the sentence from "If such holder of license shall fail to make it appear to the satisfaction of the justice or magistrate before whom he is brought that he is getting a livelihood by honest means," to "that he is not getting a livelihood by dishonest means."

THE EARL OF KIMBERLEY said, he would accept this Amendment.

Clause *amended* accordingly.

On Question, "That the clause as amended stand part of the Bill,"

THE EARL OF SHAFTESBURY admitted that the alteration was an improvement; but he thought some notion ought to be given of what was meant by "dishonest means." They must not expect in the class with which they were dealing a very high class of morality. Many of those people might earn their livelihood by means that were not creditable, but which were not in a legal sense dishonest. Men, for instance, got a living by hawking small goods without a license, and many men, he was sorry to say, were supported entirely by women, and in these cases persons would be most unwilling to reveal how they gained a livelihood. He wished while this clause was being discussed to defend himself against the noble Marquess's charge of taking up the cause of the criminals against the interests of society.

THE MARQUESS OF SALISBURY said, he had made no such charge against the noble Earl.

THE EARL OF SHAFTESBURY said, he was happy to accept the noble Marquess's disclaimer, but wished nevertheless to explain the grounds on which he objected to this clause. He believed that in so objecting he was maintaining the interests of society. We were now beset by thousands and tens of thousands of a class of desperate characters who were preying upon society because at this moment they had no other means of living. Let there, then, be just so much control and supervision over them as should not shut them out altogether from any possibility of gaining an honest livelihood. He ventured to repeat what he had often stated before that, of these thousands who were annoying and injuring society in every possible way, fully two-thirds would, if they had the means, quit that career and enter on a career of honesty. That eminent officer, Colonel Henderson, and his able superintendents would confirm this assertion. The object, therefore, should be not to exonerate them from punishment or from due supervision, but to leave them just as much liberty as would enable them to return to honest courses. The ticket-of-leave men were not the most difficult class to deal with — the most difficult class consisted of those who were constantly being imprisoned on short sentences, and who were the most degraded and most wretched part of the criminal population. On leaving the prison they were turned out in the old and ragged clothes with which they entered; when they asked for work, they were told first to get themselves decently dressed; now if additional restrictions were imposed upon them how could they obtain situations? The large proportion of them would accept any system by which they might get honest employment; but they laboured under peculiar disadvantages. They were not skilled labourers — very few artizans being among them—but were mostly men who could only do inferior kinds of work. The lives they led, their alternations of revelry and starvation—sometimes when they had made a haul of £200 or £300 living in a state of magnificence, and two or three days afterwards being as wretched as ever—made their physical condition very low, and did not recommend them to the notice of those who required vigorous labour. Let there be such supervision as was absolutely necessary, but let it not go an inch beyond that, for the existing evil would thus be perpetuated; and to shut them out from the possibility of getting anything in an honest way would be to expose society to the daily and hourly ravages of men who, the more restrictions they were subjected to, would become the more desperate and the more likely to perpetrate serious crimes.

THE EARL OF KIMBERLEY said, the argument the noble Earl had just addressed to the House, that the more these ruffians were restricted the more desperate they would become, was an argument against the whole system of licenses, for in that case they clearly ought not to be let loose on society under any circumstances. That system, however, had been deliberately adopted by the Legislature, and it was desirable that the House should understand how little alteration in it was proposed by this Bill. The existing conditions of licenses, as laid down by the Act of 1864, were very stringent, for they required every holder of a license to produce it when called upon to do so by a magistrate or a police officer; to abstain from any violation of the law; not to habitually associate with notoriously bad characters, such as reputed thieves and prostitutes; and not to lead an idle and dissolute life, without visible means of obtaining an honest livelihood. The number of convicts so released would now be largely augmented, owing to the entire cessation of transportation, and strict supervision was therefore all the more necessary. Parliament, in his opinion, acted wisely in adopting the present system, and he should be sorry to see it abandoned, for the consequence would be a recurrence of the panic which had been prevalent at the time the Act of 1864 was passed, and the re-action would be such that much more severe enactments than those now proposed would be adopted. The clause in its present shape would lessen in some respects the rigour of the existing law, for, taken in connection with a later clause, the obligation of licensees to report themselves monthly would be mitigated, and the written authority of the chief officer for any arrest, which was now customary, would be made statutory. A convict would be liable to be called upon to show that he was not earning a livelihood by dishonest means, and this, it had been urged, would materially interfere with his chance of obtaining honest employment. What, however, was the case? From a statement furnished him by the Discharged Prisoners' Aid Society in London, the most considerable of its kind, he gathered that the total number of discharged prisoners assisted by the association since May, 1857, was 5,798, or 25 per cent of the whole number discharged, but the average number had recently decreased, because fewer prisoners had of late been released on license. The number of those who had applied to the society during the first six months of last year (1868) was 145, of whom twenty-six had emigrated, forty-four had found good and constant employment in the metropolis, and fifteen had gone to sea, twenty-five had been sent to places beyond the metropolitan police district and placed under the supervision of the local police, and thirty-five had been classed as unsatisfactory and bad; but these included some who were known to be in honest employment, but were so classed because they had failed to report themselves to the police, as required by the Act. That result was far from discouraging; it showed that licensed convicts could be disposed of in a satisfactory manner. With respect to the alleged annoyance to which these convicts were subjected, he had been assured that of the whole number of 475 convicts whose licenses had been revoked during the last three years, only five had made complaints of having been unduly interfered with by the police. Allowing for the reluctance of men in such a position stating their case fully to those in authority, the fact showed the interference of the police was not of the vexatious kind generally supposed. The clause, on the whole, would rather mitigate the condition of ticket-of-leave men than impose fresh hardships upon them. What he considered as an indispensable security was that the men should be under some control when released, with the view of obtaining honest employment.

The Earl of SHAFTESBURY expressed himself satisfied with the clause as it stood amended. But he must deny the suggestion that he was opposed to the system of licensing—on the contrary, he held that the condition of ticket-of-leave men was preferable to that of those liberated at the end of a short term, as was testified by criminals often pleading for a long sentence in preference to a short one. During a long sentence they learned a trade, and when liberated they received a gratuity, which enabled them to purchase clothes or subsist until they found employment. He generally approved the effect of long sentences.

Clause, as amended, *agreed to.*

Clause 5 (Penalty for breach of conditions of license) *agreed to.*

Clause 6 (Register of holders of licenses).

The Earl of KIMBERLEY said, he had an Amendment to propose to meet the suggestion of his noble Friend opposite (the Earl of Carnarvon). His noble Friend had pointed out in the debate on the second reading of the Bill that it would be inconvenient if the registry of those men was kept by the Chief Commissioner of the metropolitan police. He (the Earl of Kimberley) thought it might be better if the Secretary of State had power to place the matter under the care of some other person, and he therefore proposed to insert words giving him power to do that, should he desire to do so.

Amendment *moved,* in line 12, after ("metropolis") to insert ("or of such other person as one of Her Majesty's Principal Secretaries of State may appoint").

The Earl of CARNARVON approved the Amendment, which removed his objection to the clause. He would also repeat a suggestion made on a former occasion, that the authorities at borough and county gaols should secure photographs of all persons committed to their charge, for the purpose of future identification.

The Earl of KIMBERLEY said, he was sensible of the great use of such photographs, although they could not be regarded as conclusive evidence. The Home Secretary would, no doubt, do all in his power to carry out the suggestion.

The Earl of LICHFIELD urged that it was of the utmost importance not only that they should have the registrar in a central office in London, but that the agents who were employed to keep a supervision over the ticket-of-leave men should be independent, to a certain extent, of the police force proper. He did not much care whether or not they were under the care of the Chief Commissioner of the metropolitan police, but he thought that they ought themselves to be particular officers charged with a particular duty. He was afraid that that Bill was based upon a state of things existing in London; but not to the same extent in the country; for it was evident that it was chiefly by means of Discharged Prisoners' Aid Societies that these convicts would be able to obtain employment.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 7 (Returns for purposes of registrar),

Amended by inserting the words ("the gaolers of county and borough prisons") shall make returns, &c., and *agreed to.*

Clause 8 (Expenses of registrar) and Clause 9 (Part of Act to be construed with Penal Servitude Acts) *agreed to.*

Part II.—Habitual Criminals.

Clause 10 (Person twice guilty of felony, and not punished with penal servitude, to be subject to the supervision of the police).

Lord CHELMSFORD called attention to the peculiar phraseology of the clause, which provided that men twice convicted of felony, if not punished by death, should be subjected to the supervision of the police. What was the necessity for the exception "if not punished with death?"

The Earl of KIMBERLEY thought the phrase necessary, having regard to the consequences that were to follow conviction in this and the next clause. It had been pointed out to him that there were certain misdemeanours which it would be desirable to include in the operation of this clause. He had endeavoured to meet the suggestions which had been made; but there were others which went further than he thought it prudent to extend the clause, because it was not desirable to be excessively severe. Accordingly, he had given notice of an Amendment to omit the word "felony" and insert "offence specified in the first schedule hereto," and he proposed to add to the Bill as its first schedule "any felony, or the offence of uttering false or counterfeit coin, or the offence of obtaining goods or money by false pretences." If he might anticipate the noble Earl (Earl Beauchamp) he was quite ready to add the words "or misdemeanour under the 58th section of the 24 & 25 *Vict.* cap. 96."—That misdemeanours related to persons found with implements of housebreaking upon them, or with their faces blackened with the intent to commit felony, who were subjected to penal servitude for five years. The offences were of such a nature that they ought to be included in the Bill; and he was obliged to the noble Earl for having pointed out the omission. He hoped the House would agree that the misdemeanour of uttering false coin ought to be included, and he thought that obtaining money by false pretences ought also to be included, because many of these criminals committed offences of this kind.

Amendment, line 36, to leave out ("felony") and insert ("offence specified in the first schedule hereto.")—(*The Lord Privy Seal*), *agreed to.*

LORD HOUGHTON moved an Amendment, in line 3, that a person should have been "twice" instead of "once" previously convicted before he was subject to supervision. It was against the spirit of our law to treat a man as an habitual offender until he had been twice previously convicted. The range of felony for which convictions might be recorded was very large, and offences varied very much in character. It behoved their Lordships to be aware how they enlarged this criminal class more than they were obliged to do, and it already included a very large body of men.

THE EARL OF KIMBERLEY said, the Amendment went to the principle of the Bill. It was essential to bear in mind what the law was. It allowed an alternative sentence to be passed upon men convicted of certain crimes; they might be sentenced either to imprisonment or to penal servitude. Since the passing of the Act of 1864, which made five years the minimum of a sentence of penal servitude, the Judges had exercised their discretion in a large number of cases; the number of sentences to long terms of imprisonment had increased, and the number of sentences to penal servitude had been proportionately diminished. The object of this Act was to place to a certain extent, men who had suffered sentences of imprisonment in the same position as men who had been subjected to penal servitude. But when it was said these persons were to be subject to the supervision of the police it must not be supposed they were to be subjected to the conditions which were imposed by the Act of 1864. The only conditions to which persons who were sentenced to this supervision of the police would be subjected were the conditions named in this Bill—and that made a material difference. Many had erroneously supposed that persons who would soon number 25,000 on the average would be subjected to that supervision of the police to which men under license after penal servitude were subject. On the contrary, the men who received a sentence contemplated by the clause would be subject only to the three conditions named in the clause defining the special character of the supervision. Under these circumstances to accept this Amendment and substitute "twice" for "once" would be to strike at the very intentions of the clause, which was that persons once convicted of felony should be placed under special disability, in the same manner, though not to the same extent, as persons sentenced to penal servitude. He hoped the House would agree that it was not going too far, in the case of men guilty of such crimes, to place them under the special disabilities prescribed by the clause. Those who attended to the nature of the sentences frequently passed at Assizes and quarter sessions must know that there were convicts who had only received sentences of imprisonment who were as dangerous and who belonged as much to the class of "habitual criminals" as those who had been sentenced to penal servitude for a long term. He agreed in the opinion that in many cases it would be wiser, instead of passing a sentence of imprisonment, to award the punishment of penal servitude, because a man upon whom that punishment was inflicted was subjected to wholesome discipline, and was withdrawn for a longer time from the public eye. He trusted that their Lordships would agree to the clause as it stood, and not accept the Amendment proposed by his noble Friend.

THE EARL OF SHAFTESBURY thought that the clause, as it stood, scarcely gave a man once convicted a fair chance of earning an honest livelihood. If a man once committed a crime, no matter how sincere might be his repentance, or how strong his desire to labour honestly for his living, he would be under this law for the period provided in the clause. He desired to know whether there was any power lodged in the Crown, supposing the man conducted himself well, to remit any of this portion of his sentence? He thought it would be very desirable to lengthen the period of the first sentence—the evil of short sentences was incalculable.

EARL GREY said, he must remind the noble Earl that the supervision was imposed, not when a man was convicted for the first time, but when it was shown that he had been once convicted before.

LORD HOUGHTON wished to draw the attention of his noble Friend (the Earl of Kimberley) to the fact that no discretion was vested in the Judges. He thought it most unfortunate that Bills of this character were not submitted to the ministers of justice in this country. He ventured to say that this Bill had not been advised upon by any of the Judges; indeed, he doubted whether they were aware that such a measure had been proposed. He certainly believed that this was the only country in the world where such a state of things would be tolerated.

THE EARL OF MORLEY said, he trusted this clause would be retained as it stood. Out of 131,000 persons convicted last year upwards of 30 per cent had been convicted before, and of the 46,000 who were re-convicted, 41,000 had been convicted only once previously. It was perfectly true that the principle they were proposing was a new one, but the condition of things was new, and when they had new conditions to meet new principles must be applied. It had been said that by this supervision for seven years the convict would be placed under a sort of ban; but that ban was sufficiently elastic, because it would not prevent him from earning an honest livelihood, while through its means the police would have the power of preventing him from recurring to his old courses.

Amendment *negatived.*

LORD CAIRNS said, he thought that without making it incumbent on the Judge to decide whether this supervision should form a portion of the punishment some discretion might fairly be left in his hands. He therefore proposed the addition of words to the clause which would have the effect of making the supervision follow the conviction in the case provided against by the clause, "unless the Court should declare to the contrary."

THE DUKE OF CLEVELAND thought that the noble Earl should assent to the Amendment proposed by the noble and learned Lord. It very frequently happened that the second offence was of a trivial character, and he therefore thought it was advisable that some discretion should be left in the hands of the Judge.

THE LORD CHANCELLOR said, he was afraid that he could not accede on behalf of Her Majesty's Government to the suggestion of his noble and learned Friend. His noble and learned Friend proposed that it should be left to the Judge to declare on the trial whether or not the supervision proposed by this clause should take effect. He (the Lord Chancellor) held that this could not be done without injury to the scope and purport of the Bill. The Bill was divided into three Parts. The first—with which their Lordships had already dealt—applied to the ticket-of-leave men, who would be treated with but very little more severity, but over whom there would be more vigilant supervision. The second Part—that which the Committee were now on—applied to persons who, having been once convicted, were brought up again to be tried. The third Part applied to persons who had been twice convicted, and were brought up again, and who, if again convicted, were to be dealt with in a different manner. The whole scheme and purport of the Bill was to have a deterrent effect—to protect society from the depredations of the criminal, and to protect the criminal from his own evil habits and and associates. Now with regard to this clause, it was only when a man, having been once convicted, fell again into evil habits, was again brought to trial and again convicted, that it would be brought into operation. A noble Lord (Lord Houghton) had spoken of the commission of an offence which involved no moral guilt. He had some difficulty in conceiving an offence without moral guilt; but they were now asked to say that if a man had once committed an offence without moral guilt and was then convicted of a second offence without moral guilt he ought not to be supervised. He would say that for such a man supervision was necessary as a protection both to society and himself from himself. If, therefore, it were agreed on the suggestion of his noble and learned Friend that the Judge should have power to declare in his sentence that a man might be exempt from supervision, the object of the Bill would be defeated altogether. Besides he would remind the House that there could be no legal doubt the Crown had power to remit this or any other part of the sentence. There were eighteen Judges who had power to pass these sentences, and if they left it to the Judges to decide in each case, the result would be a series of unequal sentences that would wholly destroy the certainty of the administration of the law. It was better that the power of exemption should be lodged in one mind—in the Secretary of State—than left to the varying tempers of the different Judges. An opinion had been expressed that the police might exercise an undue pressure on persons under supervision; but a fact had been stated to him by a young friend of his, who had taken an active part in the Discharged Prisoners' Aid Society, which went far to show that such an apprehension was not well founded. His friend had informed him that out of 2,500 cases of discharged prisoners which had come before that society there was not a single complaint that any one had been disturbed in his employment by the action of the police. There were one or two complaints of annoyance, but these did not appear to have rested on any very good ground. As to what was said about the injury done to a man's character by supervision, he must observe that a man's character was gone after two convictions. It was idle to say that after two convictions a man had a character. There might be one hard case in perhaps 100 under supervision; but would it be well for the sake of that one, and that of a person who, to say the least, had been twice convicted, to run the risk of having no supervision over the other ninety-nine? He repeated that he thought this question of remission was one that ought to be left to one authority—the Executive.

LORD CAIRNS said, his noble and learned Friend had to some extent misapprehended the nature of his suggestion. He did not propose to leave it to the option of the Judge in every case to say whether supervision should be a part of the sentence or not. What he proposed was, that the Legislature should lay it down as the general rule that when a prisoner had been once convicted he should, as an incident of the sentence, on the second conviction, be placed under the supervision prescribed by the Act. That was to be the rule; but if his suggestion were adopted, the Judge might, on the face of his sentence, declare that the case was an exceptional one, and that the general rule of supervision was to be departed from. His noble and learned Friend (the Lord Chancellor) thought it was better to vest the dispensing power in the Executive, in order to avoid a diversity of opinion in similar cases; but Secretaries of State changed, and there were great differences of opinion among right hon. Gentlemen who filled the office of Home Secretary. Indeed, contrary decisions were sometimes given by the same Secretary. Again, what provision was there in this Bill to enable the Secretary of State to remit the supervision?

THE LORD CHANCELLOR: The supervision is a part of the sentence.

LORD CAIRNS: He doubted the opinion of his noble and learned Friend that the Crown had power to dispense with a portion of the sentence—the Crown could only grant a pardon which extended to the whole punishment. To enable the Secretary of State to change the sentence by remitting the supervision, power for that purpose should be taken in an Act of Parliament—a power similar to that by which the Secretary of State was enabled to grant a license in a case where there has been a sentence of penal servitude.

THE LORD CHANCELLOR said, that the actual imprisonment would be over. That portion of the punishment would have been suffered, and there would remain nothing but the supervision. The Secretary of State could remit that.

LORD CAIRNS: Yes, by a free pardon.

EARL GREY said, he objected to any dispensing power being left either in the hands of the Judges or of the Secretary of State. His opinion was that the rule ought to be positive and imperative, and that there ought to be no exception whatever. He objected to a discretionary power being vested in the Judges, because when serving on the Penal Servitude Commission some years ago he had been much struck by the evidence that great evil arose from the way in which the Judges differed among themselves in their enforcement of the law. During the same Assizes, he remembered it was shown that in two towns at no great distance from each other, two convictions took place for offences very much of the same character and both for bad ones, that in the worst case a light sentence was passed by the Judge, while in the other, though it was certainly the least serious of the two, a very severe punishment was imposed by another Judge. One of the greatest evils that arose from this uncertainty in the administration of the law and the unwise lenity sometimes shown by the Judges was that the terror of the law among the criminal classes was thereby greatly diminished. He might remind their Lordships of what happened when the punishment of three years' penal servitude was first introduced. This sentence was intended for offences that deserved more than two years' imprisonment, but which yet did not deserve seven years' transportation which was formerly the next punishment. But what happened? Why, in a short time, offences which had always up to that time been punished with seven years' transportation, came as a matter of course to be let off with three years' penal servitude. The result of this great diminution in the severity of the law was that men were found to come back to their old haunts and show their companions what a trifling thing three years' penal servitude was. Under these circumstances, it was not surprising that the law became inefficient to repress crime. This want of uniformity in the administration of the law unfortunately had continued down to the present moment. In illustration of his statement he would refer to a discussion which was reported recently to have taken place in the House of Commons. The Secretary of State was asked why he had remitted part of the punishment of a prisoner who was sentenced to penal servitude for life for a very aggravated manslaughter, scarcely to be distinguished from murder, though the Commissioners recommended life sentences should never be shortened, except under some special circumstances. The reply of the Secretary of State was that about the same time a similar offence, but of a still worse character, had been committed, and the prisoner had been sentenced to penal servitude for ten years; so that the Secretary of State was obliged to commute the sentence in the other case to restore the balance between them. He feared it was impossible to get rid altogether of this want of uniformity, but it was a great evil, and every effort ought to be made to insure, as far as might be practicable, that in future the law would be applied uniformly. With this view he thought such discretionary power only should be given to the Judges as might be absolutely necessary to prevent hardship and injustice. He did not think that any great hardship would be inflicted upon a man who had been twice convicted in subjecting him to supervision. He trusted that Her Majesty's Government would support the clause as it stood, and that there would be no dispensing power either in the Judges or the Crown.

LORD CHELMSFORD said, he did not understand his noble and learned Friend (Lord Cairns) to move an Amendment, but merely to make a suggestion.

THE EARL OF DERBY said, the noble and learned Lord opposite (the Lord Chancellor) did not appear to propose any Amendment on the part of Her Majesty's Government. He would suggest to the noble Earl opposite that it was desirable to introduce words into the clause so as to make it quite clear how far the powers of supervision by the police should be limited. He would propose to add words limiting the supervision "in accordance with the enactments hereinafter contained."

THE EARL OF KIMBERLEY said, he would take into consideration the suggestion of the noble Earl on bringing up the Report.

LORD ROMILLY, while fully admitting that the unfortunate people who had been twice convicted were not entitled to any peculiar favour, thought they were about to confer on magistrates an extraordinary power in providing that they might imprison a man for one year at their mere will and pleasure, for they are obliged to state no reasons, no fact which has caused their suspicion. The unfortunate man is guilty of poverty and want and, if he has been before twice convicted, without an accusation and without being called upon for defence he may be imprisoned for one year. He would suggest that this part of the clause should be omitted altogether —which appeared to him to be the better course—or at least that the magistrate should be required to state the reasons for his belief that the criminal was gaining his livelihood by dishonest means. He was satisfied that otherwise their Lordships would find it impossible to carry this clause into effect. Suppose a man suspected of an offence against the game laws, would that be sufficient to send him to prison for one year, when the man was in all other respects earning an honest living? It was necessary, if they passed this Bill, that they should carry with them the sympathies of the people, and they would not do that if the people felt the law was unjust; that one principle of law was applied to the rich and another to the poor.

Moved, to leave out lines 11 to 15, both inclusive.—(*The Lord Romilly.*)

THE EARL OF KIMBERLEY could not agree with his noble and learned Friend in regarding these as "unfortunate" people. They were guilty, not of misfortune, but of crime, and it was important that the House, in legislating with regard to them, should recognize the distinction. At the same time there was no reason why they should be treated with undue severity. There was nothing in this clause to prevent a person from returning to honest occupation, if so minded; and a similar restriction to that applied in a former clause—namely, that the police were not to interfere with the particular individual without the written authority of the chief officer of police—would be adopted. The chief officer of police—having before him the certainty that if he made a mistake the whole matter would become public, and that he would incur severe censure at the hands of the magistrate—was not likely, he thought, to abuse the discretionary power which it was proposed to vest in him. Their Lordships would observe that the clause did not give the police the power of punishing offenders, but only of bringing them before a magistrate for investigation. There was a very considerable class of persons known to live by crime, but impossible to reach, because crime could not be brought home to them. The object of the clause was to place persons who had been convicted of two serious offences under police supervision. This would enable the police to reach the nest of old offenders and break up those gangs of thieves who infested our large towns, and who, though they were known to be living by crime, could not be arrested for any specific offences.

LORD ROMILLY said, the noble Earl had mistaken the object of his Amendment, which was not to leave out the whole of the clause, but only five lines of the clause. As matters stood, without a word being said to the prisoner, without being called upon to defend himself in any way, the magistrate would have power to send him to prison for a year.

THE EARL OF KIMBERLEY said, his noble and learned Friend was quite right, and he had not limited his argument as he ought to have done. He could only repeat that the first condition was, in his opinion, a valuable part of the clause. As to the other question about the magistrate giving his reasons, it would be more convenient to discuss that when the proper time came.

THE EARL OF LICHFIELD agreed with all that had fallen from his noble and learned Friend (Lord Romilly), and asked the noble Earl who had charge of the Bill whether, when one of these persons was brought before a magistrate, the mere statement of the constable was to be accepted as sufficient, or whether there was to be proof of the previous convictions?

LORD COLCHESTER hoped their Lordships would agree in some way to soften the language of this clause, inasmuch as the Bill they were now passing was of a very severe character, and introduced several entirely new principles. They must remember that the more penal the consequences which were made to follow from a second conviction, the greater the difficulty which would probably be experienced in obtaining a second conviction. There was also an ambiguity, he considered, in the clause itself, which might be productive of considerable difficulty where a man gained his living partly by honest and partly by dishonest means. Even with the restrictions which had been introduced, an arbitrary power was about to be given to justices which, he thought, would render the Act highly unpopular.

LORD CAIRNS pointed out a difficulty arising out of the language of the earlier portion of the clause. Upon the second conviction of a prisoner it was to be "deemed to be part of the sentence passed on him, whether so declared by the court or not, that he was to be subject to the supervision of the police." But how was the magistrate to ascertain when a man was brought before him that the prisoner had been twice previously convicted? The record of the second conviction showed nothing; and even an entry of a former conviction against a prisoner of the same name showed nothing, because their Lordships knew how freely names were assumed and abandoned by persons in the criminal class. Were they, therefore, to impose upon a single magistrate the duty of trying a question of identity, with very insufficient means of doing so, and with no appeal from his decision? If this clause were to work well, as he was very anxious that it should do, it must be declared on the face of the second conviction itself that the prisoner had been previously convicted of an offence specified, and that on the expiration of the sentence awarded for the second offence he was to be subject to the supervision of the police.

THE EARL OF KIMBERLEY said, their Lordships had now gone back a little upon the clause; but he would take care that on the Report the requisite Amendments were introduced.

LORD DENMAN trusted that the noble and learned Lord (Lord Romilly) would press his Amendment, as this was the first instance he had met with of punishment being awarded merely on account of suspicion, and possibly on evidence adduced by the party himself.

LORD CHELMSFORD approved the principle of the clause, but suggested that a difficulty would arise in its practical working. Unless it was expressed on the face of the second conviction that the prisoner was to be placed under police supervision, the magistrates must have it proved before them that he had been twice previously convicted, and this it might be very difficult to do. Suppose a person twice previously convicted were arrested by a constable and brought before a magistrate. Neither of them knew anything of the antecedents of the prisoner—at least, in such a definite mode as would enable them to deal with him under the provisions of the 10th clause. It was exceedingly impropable that two constables, or even one, able to prove previous convictions, would be forthcoming when a man was brought with little or no notice before a magistrate; and in that case it would be the magistrate's duty to discharge the prisoner. He would suggest the addition at the end of the clause of some such words as these—"And such justices, if they deem that there is reasonable ground for suspicion, may remand him from time to time until full inquiries have been made with respect to him."

THE EARL OF KIMBERLEY believed the magistrates would have this power under the existing laws.

LORD CHELMSFORD thought it would remove any cause for doubt if the power were given in the Act itself.

EARL GRANVILLE suggested that the more regular course would be to dispose of the Amendment, which was formally before the House, before they proceeded to discuss other Amendments.

LORD ROMILLY suggested that some record should be made of the reasons for committals by magistrates under the Act, but said he did not intend to trouble the Committee by moving the Amendment of which he had given notice, requiring those reasons to be endorsed on the warrant.

THE EARL OF LICHFIELD suggested that convictions of persons under sixteen years of age should not be convictions within the meaning of the Act.

THE EARL OF KIMBERLEY remarked that those who had committed offences in early life were just the persons whom it was most desirable to bring under the operation of the statute. The Act would in all probability be most beneficial in its operation on young criminals; they would be placed under such conditions that they could not keep up old associations and continue their bad habits. He could not see that there would be any hardship in what was proposed, or that it would be any serious addition to the sentence.

THE MARQUESS OF SALISBURY would suggest that a conviction of a boy under the age of sixteen should not be allowed to operate; otherwise two convictions for stealing apples from orchards might render a youth liable to penal servitude.

THE EARL OF KIMBERLEY: That question arises in the 11th clause.

Amendment *negatived.*

THE EARL OF LICHFIELD said, he had given notice of an Amendment to omit Clause 10, and insert another in its place, but it was quite clear it was useless to move the omission of the clause; and, although he abstained from proceeding to a division, he must protest against the course their Lordships were about to adopt; and he must also move the remainder of his Amendment, which would therefore be that the following provision should be inserted in the Bill:—

> "Where any person is convicted of a felony or indictable misdemeanour for the first time the punishment which shall be awarded to such person if it exceeds imprisonment with hard labour for one calendar month shall in no case be less than imprisonment with hard labour for six calendar months; and where a person who is proved to have been previously convicted is convicted for a second time of a felony or an indictable misdemeanour, the punishment to which such person shall be sentenced shall in no case be less than imprisonment with hard labour for six calendar months."

He wished to see greater certainty of increased punishment upon a second conviction, and further to see all imprisonments between one month and six months abolished. The noble Earl in charge of the Bill had clearly pointed out the necessity for certainty of punishment, which, however, was not secured by the Bill. According to the Bill, a person convicted for a second time might be punished with one month's imprisonment, when his previous sentence might have been the same. Then it was proposed that on a third conviction a prisoner should be subject to a sentence of seven years' penal servitude. It appeared to him it was necessary, if the discretion of Judges were limited in passing sentence upon a third conviction, it should also be limited to a certain extent in passing sentence upon a second conviction. His reason for wishing to abolish sentences of between one and six months was this—if they were desirous of seeing any real efforts made in the way of the prevention of crime, they must look to the mode of the treatment of prisoners in gaol. By abolishing short sentences of between one and six months they would enable a much better system of classification and treatment to be carried out in prisons. Whether that system was to be one of productive or of unproductive labour would soon have to be discussed. A large number of sentences of six months would enable them to carry out a much better system of classification and treatment than was now possible. The effect would be that the sentences would be pretty evenly divided between one month and six months, and therefore there would be no great increase of expense involved in the course which he proposed. The Bill was called the Habitual Criminals Bill, but there was no proof that the man who committed a second crime was an "habitual criminal." The contrary was more near the truth, for he believed that considerably more than half of those who were convicted a second time never returned to their evil courses; but undoubtedly the proportion of those who returned after a third or fourth conviction was very much larger. He denied altogether that on a second conviction a man was to be regarded as an "habitual criminal." If this clause of the Bill were to stand he should be disposed, on the Report, to move an Amendment to the effect that the question whether a man was or was not an "habitual criminal" should not be left either to the Judge or to the Secretary of State, but that it should be put to the jury. The police supervision provided for was commended to them on what he must consider unsatisfactory grounds. It was commended in consequence of the working of the system in London, where, however, it had not been really tested, because nearly all discharged prisoners were placed in the care of the Discharged Prisoners' Aid Society. They were told that the system had worked well in Ireland; but the statistics adduced took no account of the vast number of persons who had emigrated to America, or who had come to England. There was really no satisfactory evidence that the system of police supervision was a good one. The statistics cited by the noble Earl (the Earl of Kimberley) who had charge of the Bill were quite worthless for the purpose for which they were quoted. The noble Earl said there had been a large decrease in the number of penal servitude sentences between 1857 and 1867; but the reason was that we had increased penal servitude sentences from three to five years in ordinary cases, and from five to seven years on second conviction, and in too many cases the Judges had passed sentences of imprisonment only when otherwise they would have passed sentences of penal servitude. Other figures than those quoted must be taken into consideration if we wished to form a judgment of the effect of our police supervision and prison discipline. The figures of the noble Earl, going back as far as 1856, could not be depended upon. There had not been so large a decrease in indictable offences as might have been expected. The decrease shown by the figures was the less reliable because cases dealt with summarily since 1856 were altogether excluded; and therefore it was impossible to form an opinion as to the number of offences committed. Both our prison discipline, introduced by the Act of 1865, and our police supervision, introduced by the Act of 1864, had been total failures, and had not been followed by the results which it was rather implied by the noble Earl they had. The noble Earl concluded by moving his Amendment.

THE EARL OF KIMBERLEY ventured to think, in spite of the opinion expressed by his noble Friend, that the statistics to which he had referred the other evening were not entirely worthless. When quoting the statistics on the introduction of the Bill he had cautioned their Lordships not to jump too rapidly to conclusions; but this was the very thing his noble Friend had done. Instead of taking the figures as a whole he had merely taken a part, and had thus fallen into a mistake. He still contended that a candid examination would show that on the whole there had been a decrease of crime.

EARL GREY remarked that the Bill would raise this difficulty. A twice-convicted criminal was to be placed under the supervision of the police, and when so placed was liable to be brought up before a magistrate, and, under certain circumstances, to be sentenced to a year's imprisonment. If a man incurred that punishment in consequence of his inability to obtain the means of earning an honest livelihood, when the period of his discharge arrived the man would not be a bit more able to maintain himself by honest industry than he was before. It was true that society would have been protected from his depredations during the year of his imprisonment, but beyond that fact they obtained no advantage. This was a difficulty that future legislators would have to face—they must devise some means of helping men who had been criminals and were desirous of reforming their lives, to obtain an honest livelihood. At present such men had the greatest difficulty in finding honest employment. With the stringency which such a Bill would impose, he felt sure that the evils arising from the discontinuance of transportation would be felt more and more. While transportation existed this difficulty did not arise, because in Australia, from the high value of labour a discharged convict had great facilities for earning his livelihood. He believed that the great majority of these people desired to abandon their criminal courses if they could obtain an opportunity of doing so. If they made a man liable to punishment for not maintaining himself honestly they must take care that the means of doing so were placed within his reach. He did not pretend to say how this could be accomplished, but their Lordships might depend upon it that it was a point that was not settled by the Bill. He certainly agreed in the opinion that the Judges and chairmen of quarter sessions should, in the exercise of their discretion, when they had to pass sentence on a man who had been convicted before, sentence him to penal servitude instead of imprisonment. Before the expiration of a term of penal servitude they had an opportunity of learning some trade, while, as a rule, they came out in better health and more capable of enduring severe labour than when they went in. He was not, however, prepared to go the length of rejecting the clause.

THE EARL OF HARROWBY reminded their Lordships that the Discharged Prisoners' Aid Society, which had been the means of doing much good, confined its operations to convicts released from sentences of penal servitude, and did not extend its assistance to those who were only released from imprisonment. They were, therefore, bound to see that a man who would be liable to the severe punishment contemplated by this measure had had a fair opportunity of earning an honest livelihood.

Amendment *negatived.*

Clause, as amended, *agreed to.*

Clause 11 (Persons thrice convicted of felony to be liable to be taken up if found under suspicious circumstances) *amended,* and *agreed to.*

Clause 12 (Amendment of sec. 4 of the Vagrant Act).

The Earl of LICHFIELD moved an Amendment, at end of Clause insert—

"And the justices or magistrate before whom such suspected person is brought may, if they or he think fit, in addition to or in lieu of any imprisonment to which he may be sentenced as a rogue and vagabond, require him to enter into his own recognizances and find a surety in a sum not exceeding twenty pounds for securing his good behaviour during a period of twelve calendar months, and in the event of such security not being found to order such suspected person to be imprisoned for a period not exceeding in the whole twelve calendar months."

The Earl of KIMBERLEY thought it would be hard to adopt such an Amendment. It was unreasonable to expect that a man who had recently come out of prison would be able to get a surety in a sum of £20.

Lord DENMAN said, it would be a great addition to the painful duty of a magistrate to be obliged to imprison instead of accepting two good sureties, if willing to come forward, and if he were satisfied with them, for the good behaviour of the man twice convicted before.

Amendment *negatived.*

Clause *agreed to.*

Earl BEAUCHAMP moved after Clause 12 insert the following clause:—

"Every person who shall be brought before two justices or a stipendiary magistrate charged with having in his possession anything which may reasonably be suspected of being stolen or unlawfully obtained, and who shall not give an account to the satisfaction of the justice or magistrate how he came by the same, shall be liable to a penalty not exceeding five pounds, and in default of payment may be imprisoned with or without hard labour, or in the discretion of the justice or magistrate to be imprisoned with or without hard labour for any term not exceeding two months."

The Earl of KIMBERLEY objected to the clause as too stringent, and as opposed to the whole spirit of our legislation. It would apply to persons who had never been convicted of crime. By accident or negligence a person might become possessed of a thing for the possession of which he might fail to give what the justice would regard as a satisfactory account.

Clause *negatived.*

Clause 13 (Penalty for harbouring thieves, &c.).

The Marquess of SALISBURY said, he wished to know whether the words "suspected persons" in the clause were capable of any legal definition, or whether they were to be understood in the ordinary sense of persons whom any other people might happen to suspect? If the words were to be taken in the latter sense, it appeared to him that their application would be too wide, and would, in fact, form a *loi des suspects,* and nothing else.

The Earl of KIMBERLEY said, the word was used in the sense generally understood under the Act of 1864 and this Act. He would, however, before bringing up the Report, see whether the definition intended could not be made more precise in words.

Lord CAIRNS asked the noble Earl whether the phrase "reputed thieves" was not too wide a one in a clause under which persons were to be punished who kept houses frequented by "thieves, reputed thieves, or suspected persons?"

The Earl of KIMBERLEY said, that the words "every suspected person or reputed thief" occurred in the Vagrant Act, and were, therefore, not now used for the first time. Hitherto these words had been found satisfactory, and he would be loth to part with them.

The Earl of SHAFTESBURY reminded the noble Earl that the proprietors of low beer-houses were in the habit of receiving goods upon deposit, and thereby presented a more ready means for the disposal of stolen property than even the receiving-house. He proposed to insert in line 10 in the clause, the words "or who allows the deposit of goods knowing them to be stolen." Such an enactment would meet the case of these deposit houses, or leaving-shops, which form such fruitful sources of crime.

THE EARL OF KIMBERLEY said, the suggestion of the noble Earl was well worthy of consideration. It would, however, be as well if he were to give notice of his intention to move the Amendment on bringing up the Report.

EARL GREY thought the Amendment of the noble Earl would effect a great improvement in the clause. It was also most desirable that they should not only punish the occupiers who were guilty of these offences, but that they should also be able to strike at the owners of these low beer-shops. At present, when a man carried on one of these places in an improper manner and forfeited his licence, the landlord turned him out and put another equal rogue into his place to carry on the same trade. He proposed that words should be inserted to provide that when an occupier of one of these places forfeited his licence no other occupier should be allowed to be licensed in that house, at all events for the next twelve months.

Amendment *moved*, after line 21 insert—

"And if any such house, shop, room, place, or other premises be licensed under statute regulating the sale of exciseable liquors or foreign wine, an offence under this section shall be an offence against the tenor of the license of the occupier of the house, shop, room, place, or other premises as aforesaid."—(*The Earl Beauchamp.*)

THE EARL OF KIMBERLEY said, that offences under this Act would be offences against the license regulations. He approved the suggestion of the noble Earl, but would take time to consider the words necessary to carry out his intention.

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Part III.—Receivers of Stolen Goods.

Clause 14 (Burden of proof in cases of receiving stolen goods).

LORD CHELMSFORD said, he would make a suggestion which he thought would meet an objection which a noble Friend (the Marquess of Salisbury) was about to make. He was not one of those who thought that this clause was too stringent; on the contrary, he was afraid as it stood at present it would utterly fail to attain the object with which it had been introduced. It was a most important clause, because if there were no receivers there would clearly be no thieves. The clause only applied to receivers of stolen goods who had been previously convicted of any offence punishable by imprisonment. Now, if this clause were passed as it stood, persons who had been previously convicted would transfer their business nominally to one of their relations, and thus the object of the clause would be defeated. In order to render the clause effective, he would move to insert the following words:—

"Where any person is found in the possession of goods recently stolen, and cannot prove that he has taken them under circumstances which would excite no reasonable suspicion in the mind of a careful and prudent man that they were dishonestly obtained, he shall be deemed and taken to have known them to have been stolen, and the burden of proof to the contrary shall be thrown upon him."

THE MARQUESS OF SALISBURY hoped some stop would be put to the sanguinary disposition that appeared to have obtained dominion over some of their Lordships, and which he could only attribute to hunger. The Amendment proposed by the noble and learned Lord showed what ferocity might be developed in the most gentle natures under the influence of an excessive zeal for the maintenance of law and the protection of property. The Amendment he had to propose was of an opposite character. The clause was manifestly one of a very unusual and stringent character, and he felt that when introducing a provision into the Bill which was contrary to the whole spirit of English law they should be careful to keep within the strictest bounds of moderation. He proposed that the clause should not apply to persons whose previous convictions had occurred before they were sixteen years of age.

THE EARL OF KIMBERLEY agreed with the noble Marquess that this was a most stringent clause, and that care should be taken that it did not work injustice, and he was very much disposed to accept his noble Friend's proposal. He would engage to take the matter into his consideration, but he could not then give any positive pledge with respect to it. The words "all persons previously convicted of any offence punishable by imprisonment" would doubtless bring persons within the scope of the clause other than those whom it was wished to reach. These were chiefly the receivers of stolen goods who were direct encouragers of crime, but it was not at all certain that a man belonged to that class because he had previously been convicted of some offence punishable by imprisonment. The clause, he thought, would better accomplish the end in view if it were made to read, "convicted of the offence of larceny or other offence against property." These words, of course, would very much limit the operation of the law.

Earl BEAUCHAMP considered that the words just suggested might be found too restricted in their application. Serious offences against the person were surely of as grave a character as offences against property, and ought to be placed in the same category.

Lord COLONSAY said, the object of the clause, as he read it, was to overcome the difficulty now experienced of proving that the persons who received goods knew them to be stolen rather than received them suspecting them to be stolen. But the operation of the clause ought to be restricted to cases *ejusdem generis.*

The Earl of CARNARVON said, that he would first pass in review the wording of the various Amendments which had been suggested. "Felony" he regarded as too narrow a definition, because it would exclude such offences as cheating and uttering base coin. "Felony and misdemeanour," on the other hand, was too wide a term, because it included not only aggravated attacks upon the person, but likewise common assaults; and no one, he thought, should be exposed to Draconic penalties such as these merely because he had committed a common assault. The Amendment of which he himself had given notice though perhaps not expressed in very technical language, seemed to cover the ground more completely than any of the others, and he therefore offered it for the consideration of the noble Earl having charge of the Bill. It ran thus—

"Any person who had been previously convicted of any offence, involving fraud or dishonesty and punishable by penal servitude or imprisonment."

Lord ROMILLY thought the words recommended by the noble Earl opposite not inadequate for the purpose, but suggested that it might be better to say simply "offences mentioned in the schedule," and then define these carefully hereafter.

The Earl of KIMBERLEY said, that of the different proposals which had been made that of the noble Earl (the Earl of Carnarvon) seemed the most inviting. He admitted that the words he had himself proposed, "any offence against property" were too wide. It would be somewhat difficult to frame a schedule covering all the cases to which the Bill might be applicable.

Amendment (*The Earl of Carnarvon*) *agreed to.*

Lord ROMILLY said, the clause as it stood was very stringent; and it was necessary, he thought, that persons who were to be put to the disproof of having received stolen goods with a guilty knowledge should have fair notice of what was required of them. He would therefore move an Amendment to mitigate the severity of the clause as it now stood.

Clause 14, page 5, line 30, leave out "offence" and insert "felony," and at end of clause, after "goods" insert—

"Provided that not less than fourteen days' notice shall be given to such person that proof is intended to be given of his previous conviction, and that he will be deemed to have known such goods to have been stolen until he has proved the contrary: Provided also, that for the purpose of proving the contrary such person shall be at liberty, if he think fit, to offer himself as a witness on his own behalf."

The Earl of KIMBERLEY said, he was willing to agree to the Amendment of his noble and learned Friend, provided he substituted one week for a fortnight.

Lord ROMILLY said, he would not press that point, but he certainly thought that a clause of this stringency ought to be carried out in such a manner as to prevent the sympathy of the public being excited on behalf of a man who was charged under it, on the ground that he was being too severely dealt with.

The Marquess of SALISBURY thought it too harsh to assume the receiver knew the goods in his possession to have been stolen, unless he proved to the contrary. He would ask the noble Lord Privy Seal to put himself in the position of a man accused under that clause, and consider in what manner he would prove his innocence. It was an impossible process for any man to prove he did not know a thing.

THE LORD CHANCELLOR pointed out that for a man to come under the operation of that clause he must have been previously convicted, and therefore the illustration of the noble Marquess would not apply to his noble Friend the Lord Privy Seal. He strongly disapproved the proposal to allow a receiver to give evidence on oath in his own behalf. Following the ordinary course, the prisoner would make his defence, and the magistrate would give that defence due weight; if it squared with the facts in evidence, the defence would be held good, whether given on oath or not. Besides this, a man who offered himself as a witness would be subjected to cross-examination, and this would not be preferable to simply offering a defence.

LORD CAIRNS also objected to the proposal to allow a man charged with a criminal offence to offer himself as a witness, because it was inexpedient to make so novel an exception to our criminal law in a particular instance. If the change were to be proposed at all, he would prefer that it should come before them as a separate measure.

THE EARL OF CARNARVON suggested that receivers should be dealt with after the manner of utterers of base coin. The rule that the evidence should be confined to the question at issue was set aside in the case of utterers of base coin to the extent of allowing evidence to be given to prove that other offences of a similar character had been committed about the same time. The object of the clause under discussion being to deal with habitual receivers of stolen property, he thought it would be prudent to allow evidence to be given as to whether the person charged had not been guilty of receiving on two or three previous occasions. This would establish the character of an habitual receiver more certainly than any other means.

The first paragraph of Lord Romilly's Amendment *agreed to;* second paragraph *negatived.*

EARL GREY proposed an Amendment which would meet the views of the noble Earl. When the police visited a receiver's house they often found the proceeds of various robberies concealed there, and this was proof of guilty knowledge. He therefore moved that—

"If any person not previously convicted shall be found in possession of goods which are proved to have been stolen in three or more different robberies, he shall be deemed to have known the same to have been stolen until he has proved the contrary, and if he should fail to prove the contrary, he shall be deemed to have committed as many distinct offences, for each of which he shall be liable to be separately punished, as there have been different robberies committed, the produce of which shall be found in his possession."

THE EARL OF KIMBERLEY said, the Amendment proposed by the noble Earl would make the clause too severe. The term "any person" would include a pawnbroker who might be in possession of articles the produce of three or more different robberies, and yet not have a guilty knowledge in any case. To add this provision would greatly endanger the passing of the clause.

EARL GREY said, if a pawnbroker was in possession of goods the produce of so many robberies, it would show that very little care was exercised in the taking of pledges; and unless some such provision as he suggested were adopted, the receiving of stolen goods would never be put a stop to.

Amendment (*Earl Grey*) *negatived.* Clause, as amended, *agreed to.*

Part IV.—Pawnbrokers.

Clause 15 (Penalties, &c.).

Clause 16 (Report by Pawnbrokers of stolen goods)

Clause 17 (If stolen articles be altered or defaced by pawnbroker he shall be held to be receiver of stolen goods).

LORD LYVEDEN moved to leave out these clauses. He had been requested to do so by a numerous, influential, and respectable body of tradesmen, who complained that they had been put into a Bill relating to "habitual criminals," in company with the receivers of stolen goods, and others concerned in crime. The objectors did not see why they should be put into the Bill at all; and the noble Earl did not give any reason for putting them in when he introduced the Bill. All he was reported to have said was that there were other provisions in the Bill of minor importance, some of which related to pawnbrokers, who frequently gave facilities for the disposal of stolen goods. The pawnbrokers said that their trade was endangered by the Bill, and they had presented a petition which set forth these facts—

"The number of licensed pawnbrokers in England and Wales exceeds 3,000; the capital embarked in their business cannot be less than £7,000,000; and the sum contributed by them directly to the revenue for their licenses amounts annually to more than £35,000. The number of pawns effected in the metropolis alone in the year 1866 was calculated with sufficient accuracy to exceed 28,000,000."

It was supposed by some that pawnbrokers were in the habit of concealing crime, whereas they contended that they were remarkably instrumental and useful in detecting it, and that their duplicates facilitated its detection. Our Judges gave them credit for furthering the ends of justice; and in a case just tried at the Northampton Assizes, in which he was the committing magistrate, Mr. Justice Bovill complimented a pawnbroker as having been the only person through whom a criminal had been detected. The cases of pawnbrokers lending money on stolen goods were so few in proportion to the enormous number of their transactions that they did not deserve or require such stringent regulations. In the report of Major Greg, head constable of Liverpool, it was shown that out of 26,702 cases brought before the magistrates during 1868, only 140 related to unlawfully pledged goods. It was not generally known how large a proportion of pledges were redeemed. 28,000,000 of pledges were taken in in the metropolis alone in 1866. Of these all but 5 per cent were redeemed. The remainder that were pledges on which more than 10*s*. had been lent were publicly sold, and only 1 per cent of the 28,000,000 were pledges as to the rightful ownership of which by the pawners the pawnbrokers could not positively speak. It was perfectly clear that these were not persons to be dealt with wholesale as the receivers of stolen goods. He believed the majority of those in the trade were entirely honest; and if that were not believed, the pawnbrokers asked for a Select Committee, the striking out of these clauses, and the bringing in of a Bill to regulate their trade. They totally denied that they had anything to do with "habitual criminals," because they said they were just the persons to whom "habitual criminals" would never come. Yet it was proposed to injure their trade by rendering them and their books subject to the inspection of the police—not only of the chiefs, but possibly of a man at 23*s*. a week. And what was the trade that was to be exposed to this inspection? It was the business of making temporary loans on security; and was there any class of society members of which had not been benefited and perhaps rescued from ruin by such temporary loans? They were obtained by both poor and rich. Not one of their Lordships would like to have a policeman enter his house, demand to see accounts, and ask where money, plate, or diamonds came from. The consequence of this provision would be that a policeman would have the power to extort money by threatening to use his power. One clause provided that information was to be given to pawnbrokers of goods that had been stolen. The notices of things lost or stolen were so numerous that it could not be matter of wonder or blame if the pawnbroker or his shopman was unable to remember every one of them. They averaged from 35,000 to 40,000 annually; and it was very rare that the stolen goods pledged with a pawnbroker had been notified to him as having been stolen. But for the lateness of the hour he would have gone into the matter at much greater length, to show the injustice and the inutility of the proposed clauses, and the necessity, on the ground of absolute justice, of dealing with pawnbrokers by a separate Bill, and not classing them with "habitual criminals." He hoped his noble Friend (the Earl of Kimberley) would consent to strike out these clauses from this Bill, even if he brought them forward in another and separate one.

THE DUKE OF CLEVELAND said, he did not object to legislation to regulate the trade of pawnbrokers; but whatever was done affecting them ought to be done by a separate Bill. He thought that the pawnbrokers had very great reason to complain that they should have been placed in a Bill that dealt with "habitual criminals," thereby stamping them as such. He did not say that certain regulations should not be adopted, and the pawnbrokers themselves did not object to legislation, but they courted inquiry. It was of the greatest importance on public grounds that the trade of pawnbroking should be conducted with a certain amount of secrecy, for it would be very injurious that the circumstances under which a loan had been obtained should be made known. It might be true, and it must be true, that a certain number of stolen goods find their way into the shops of respectable pawnbrokers, and it was utterly impossible to prevent that by the strictest legislation. Persons engaged in this trade must also, as a matter of course, trust to those whom they employed. It might be well to place the trade under stricter supervision, but if that were done it should be done by means of a separate Bill, and provisions relating to men, who for the most part were respectable, should not be placed side by side with those which dealt with "habitual criminals."

The Earl of KIMBERLEY said, that the pawnbrokers had shown themselves perfectly capable of defending themselves. He had had some communication with them, and he thought they had in some respects made out a case for themselves—especially on the point to which the noble Duke had referred—they had some reason, perhaps, to complain that their trade—in which there were many respectable men—should be dealt with in the provisions of a Bill which *eo nomine* related to "habitual criminals." He could, he believed, point out many reasons why some such provisions as these were advisable; but his right hon. Friend the Secretary of State for the Home Department had come to the opinion that it would be better to deal with them in a separate measure. He should not therefore oppose the Motion of his noble Friend to strike out the clauses which dealt with this branch of the question. His noble Friend opposite (the Earl of Shaftesbury) had asked him how the Government intended to deal with the melters, refiners, and marine store dealers. There was precisely the same objection to placing them under the Bill that existed in the case of the pawnbrokers. The marine store dealers were at present placed under a very stringent Act of Parliament, while the melters and refiners—among whom there was a very large number of respectable men—might fairly complain if a clause affecting their trade were inserted in this Bill. His right hon. Friend the Home Secretary proposed to examine the Acts of Parliament relating to pawnbrokers and marine store dealers, and also the case of the melters and refiners, with a view to bring in a Bill on the subject. Under the circumstances, therefore, he should offer no opposition

to the proposal for the omission of these clauses.

The Earl of SHAFTESBURY was understood to say that he did not object to the withdrawal of the clauses from this measure; but unless provisions of a similar character became law he did not believe that the present Bill would be attended with the results which they all desired, for the strongest temptation to young thieves arose from the facility with which their plunder could be disposed of.

Clauses *struck out.*

Remaining clauses *agreed to.*

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 32.)

NAVAL STORES BILL [H.L.]

A Bill for protection of Naval Stores—Was *presented* by The Earl of Camperdown; read 1ª. (No. 33.)

House adjourned at a quarter before Ten o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 15th March, 1869.

MINUTES.]—New Members Sworn—John Cunliffe Pickersgill Cunliffe, esq., *for* Bewdley; Edward Miall, esq., *for* Bradford.

Select Committee—*Report*—Members holding Contracts (Sir Sydney Waterlow) [No. 78].

Public Bills—*Resolution in Committee*—Lord Napier of Magdala [Salary].

Ordered—First Reading—Sea Fisheries (Ireland) * [51].

First Reading—Bankruptcy * [50].

Second Reading—University Tests [15].

Second Reading—Referred to Select Committee—Endowed Schools [3].

Committee—Report—Metropolitan Commons Supplemental * [30].

Third Reading—(£8,406,272 13*s.* 4*d.*) Consolidated Fund *, and *passed.*

ORDER OF ST. MICHAEL AND ST. GEORGE.—QUESTION.

Mr. RAIKES said, he wished to ask the Under Secretary of State for the Colonies, Whether by a recent Patent the Order of St. Michael and St. George has been extended to all Her Majesty's Colonies; and, if so, when the new

Statutes and appointments to the Order will appear in the *Gazette*, conformably with the precedent set by the promulgation of the Statutes and the publication of appointments of members of the Order of the Star of India?

MR. MONSELL said, in reply, that the Order of St. Michael and St. George had been extended to all the colonies, not, however, by fresh Letters Patent, but by fresh statutes, the Sovereign being empowered, under the existing Letters Patent, so to extend it. When the Order of the Star of India was created in 1861, and extended in 1866, notices announcing the circumstance and giving the leading provisions of the statutes were inserted in the *Gazette*, but the statutes were not gazetted. However, it was intended, with regard to the Order of St. Michael and St. George, to depart from the usual practice, and gazette both the statutes and the new appointments.

IRELAND—INFLAMMATORY SPEECHES.

QUESTION.

SIR JOHN HAY: I wish, Sir, to ask the Chief Secretary for Ireland, Whether his attention has been called to a report which has appeared in the newspapers of the 9th instant, as follows:—

> "A meeting was held at Limerick on Sunday evening last, under the presidency of the Mayor, to make arrangements for a general collection at all the Roman Catholic Chapels, and at each of the masses, on St. Patrick's Day, in aid of the Fenian Prisoners, by permission of the Roman Catholic Bishop, 'who had expressed his sympathy for the sufferers;' upon which occasion the Rev. Mr. Shanahan, a Roman Catholic Priest, openly avowed himself a sympathizer with the Fenian prisoners, and concluded his speech with the following words:—'I do not exactly know what a Fenian is; but if it means love for Ireland, Ireland for the Irish, and that Irishmen ought to be able to govern themselves, I am a Fenian in my heart; and so is every Priest in Ireland;' after which the meeting broke up with cheers for a Republic, President Grant, Stephens, and Pigott;"

and, whether Her Majesty's Government propose to take any notice of these proceedings?

MR. CHICHESTER FORTESCUE: Sir, no one can regret more deeply than I do that language such as is referred to in this Question has been used at a public meeting in Ireland, and for no other reason more do I regret it than this—that such language, coming from several of the persons concerned at a meeting held for an ostensibly charitable purpose,—namely, for the relief of the families of political prisoners, has, undoubtedly, had the effect, not unnaturally, of producing on the public mind an impression that many parties are favourable to the cause of Fenianism who, I know, are and always have been opposed to it. But with respect to the rev. gentleman, part of whose speech has been quoted in the Question put to me, I must say, on referring to a report which I hold in my hand—that however much to be regretted those words are—there yet are other words in the same speech which very considerably modify their meaning. I take it that the only way to ascertain the meaning of speakers under these circumstances is to compare the few words which have been quoted with the context. The beginning of the sentence that has been quoted is this—"I do not by any means profess myself to be a Fenian;" "but if Fenianism means"—love for Ireland, attachment to my native land, and so on, "then I am a Fenian." And farther on in the same speech the rev. gentleman said—"I hope the day is coming when we may expect just and wise legislation under a British Government." "Rome was not built in a day; and neither can we get all we want at once." "We must wait." "We must wait, and wait patiently. If justice be done to our country, we are satisfied. That is all that we want." While regretting that intemperate language was used, so evidently open, not only to misconstruction, but to produce mischief, I yet must be permitted to say—on reading the whole of this speech—that it comes rather under the class of what has been called "heedless rhetoric," used on an occasion of excitement, than under the class of language of an intentionally treasonable character. With respect to the Bishop of Limerick, Dr. Butler—who has always been a strong opponent of Fenianism, and who has always used his influence against it—whether he has thought it right to give his permission and sanction to this collection I do not know; but I am glad to see from the newspapers, in respect to Dublin, that a letter has been addressed by his Eminence Cardinal Cullen to his clergy in which he refuses to have anything to do with these so-called charitable collections for the families of these prisoners, and in which he warns his clergy that they are a "stratagem" for the purpose of obtaining from the country marks of approbation of the conduct of these persons and of adhesion to the cause in which they have suffered, and he advises the clergy to have nothing to do with it. That seems to me to be advice of very great weight and usefulness.

Sir JOHN HAY said, that the right hon. Gentleman had not stated what course Her Majesty's Government intend to take with regard to the Mayor of Limerick.

Mr. CHICHESTER FORTESCUE: The Government are making inquiries of their own authorities into the whole of the circumstances, including the conduct of the Mayor of Limerick.

METROPOLIS—BURLINGTON HOUSE.

QUESTION.

Lord RONALD GOWER said, he would beg to ask the Secretary of State for the Home Department, Whether the structure connecting Burlington House with Piccadilly is a temporary erection; also what is the proposed destination of the colonnade recently removed from the front of Burlington House?

Mr. KNATCHBULL-HUGESSEN said, in the absence of his right hon. Friend the Home Secretary, he had to state that the structure referred to in the first part of the Question of the noble Lord was purely temporary; and with regard to the colonnade, its final destination, he believed, had not yet been determined on, but the matter was receiving the careful attention of the Department concerned.

IRELAND—CHURCH PROPERTY.

QUESTION.

Mr. BENTINCK: Sir, I wish to ask the First Lord of the Treasury, Whether he will lay upon the Table an Estimate of the sum of money which will be required to purchase the sites of the ecclesiastical residences under the provisions of the 27th clause of the Irish Church Bill; and whether he will also lay upon the Table a Return of the number of ecclesiastical residences referred to in the said 27th clause, specifying the building charges affecting such residences respectively? I wish, also, to ask the right hon. Gentleman another Question on this subject, of which I have not given him notice; but I shall be glad to defer it till another day if he requests me to do so. My further Question is this—Whether he will lay on the Table an account showing the particulars of the private endowments proposed to be vested in the representative body of the Church under Clause 29; and, how he makes out the amount of such endowments to be the sum of £500,000, or thereabouts?

Mr. GLADSTONE: With respect, Sir, to the first branch of the hon. Member's Question, I have no means whatever of estimating the sum of money that would be required for the purchase of the sites of these ecclesiastical residences. I am not aware that the sites are valued apart from the buildings, nor of what amount of land, together with the actual sites of the fabrics, it may be desirable for parties to purchase. Therefore I am wholly without the means of estimating the quantity of the land or its price. All this is matter for negotiation, and all I can do is to point out the facilities for obtaining it. As to the second part of the Question—whether I will lay on the table "a Return of the number of ecclesiastical residences referred to in the said 27th clause, specifing the building charges affecting such residences respectively," all these ecclesiastical residences are already set out in the Report of the Church Commissioners of Ireland, and the building charge attaching to each residence is likewise there set out and printed for the use of Parliament and the public. For the purpose therefore of reference in every particular case the information given embraces all the particulars that the Question would require; and I do not think, therefore, it would be desirable to print it afresh, nor probably would it be asked by my hon. Friend that we should pick out and print afresh all those minute particulars which have been given already, and, I believe, with perfect accuracy. We have no means of improving the statement; but should it be the wish of my hon. Friend to have this information classified or printed in a summary form in order to deduce results—if he will be kind enough to state what is the precise object he has in view, and will communicate with my right hon. Friend the Chief Secretary for Ireland or myself as to the way in which it may be carried out—we shall be happy to give his suggestion our best attention. With regard to the third Question, as to the probable value of the private endowments since the year 1666, that is not capable of being made the subject of a Return. I stated, indeed, in my opening speech, that with respect to that particular item of Church property, the estimate partook so much of the nature of conjecture that it was necessary to allow a wide margin. Any inquiry as to a particular point I would readily answer were it in my power to do so; but with regard to the amount of glebe lands or any other description of property referred to in the Question, it is of so vague a character that it could not be made the subject of a Return to this House.

NAVY—INSTRUCTIONS TO NAVAL OFFICERS ON FOREIGN STATIONS.

QUESTION.

COLONEL SYKES said, he would beg to ask the First Lord of the Admiralty, Whether, in the recent Instructions transmitted to Naval Officers on Foreign Stations, a discretionary power is given to such Officers to obey or not the requisitions of British Diplomatic and Consular Agents for Military aid in cases of emergency, or in any other case?

MR. CHILDERS: Sir, there is nothing in the recent Instructions issued to Naval Officers for their guidance upon the occurrence of any matter of difficulty in a foreign port at variance with Article 44 of the Admiralty printed instructions. That Article is in the following words:—

> "The officers in command of Her Majesty's ships are to pay due regard to any requisition which may be made to them, in the absence of the Commander-in-Chief, from the Governors, and other British authorities within the limits of the station on which they are employed, for their co-operation and assistance on any necessary service, whether it be for the protection of Her Majesty's Possessions or for the benefit of the trade of Her Majesty's subjects, or otherwise, so long as the same does not interfere with or infringe any instructions they may previously have received from a superior naval authority; it being of course a general obligation on all Her Majesty's Civil and Military Officers to afford mutual aid and assistance to each other in all cases affecting the welfare of the Queen's Service. In any very urgent case, where requisitions made by Governors or other authorized persons may interfere with the Instructions under which the Officers in command of Her Majesty's Ships are acting, the Commanding Naval Officer on the spot must, in the absence of the Commander-in-Chief on a part of his station too distant to admit of reference being made to him in the first instance, very maturely weigh and consider the relative importance and urgency of any such required service, as compared with that directed by his Instructions; and he must then act with regard to complying with, or refusing to comply with, such requisition as his judgment shall point out to be right; always recollecting the very heavy responsibility he will incur by an infringement of the orders of the superior naval authorities, unless the urgency of the case shall most fully warrant it."

This Instruction was issued thirty or forty years ago, and it has never been revoked.

COLONEL SYKES said, he wished to know whether the right hon. Gentleman will have any objection to lay a Return on the Table respecting the recent Instructions that had been issued?

MR. CHILDERS: The recent Instructions do not in any way bear on the point which my hon. and gallant Friend has raised. I will, however, lay on the table the Instruction which does touch that point.

METROPOLITAN POLICE.—QUESTION.

VISCOUNT ENFIELD said, he wished to ask the Under Secretary of State for the Home Department, Whether any additional appointments have been made to the Staff of the Metropolitan Police; and, whether such appointments have involved any re-organization in the districts visited by and the duties performed by the Police?

MR. KNATCHBULL - HUGESSEN said, in reply, that the inquiry which had been instituted into the condition of the metropolitan police had established beyond doubt the fact that the duties required of the two assistant commissioners in the central office were of such an onerous nature as to interfere materially with that general and personal supervision of the police which was absolutely essential. A change had been long contemplated, and his right hon. Friend the Home Secretary, in pursuance of the powers vested in him, had recently made several additional appointments. The metropolis had been divided into four districts, each of which had been placed under the charge of an officer called a district superintendent. These Officers were charged with superintending the general disciplinary duties of the police, and were generally responsible for the maintenance of order and the repression of crime in their several districts, being immediately answerable to the Chief Commissioner. One advantage resulting from this arrangement was that whereas formerly the police had constantly to go to the central office to answer complaints and transact other business, all such business would henceforth be transacted in the district offices. He was convinced that when the arrangement was fully carried out it would be found highly convenient.

SCOTLAND—EMPLOYMENT OF WOMEN AND CHILDREN IN AGRICULTURE.

QUESTION.

Mr. W. CARTWRIGHT said, he wished to ask the Under Secretary of State for the Home Department, Whether he has arrived at a decision as to the propriety of extending over Scotch Counties, the area of the inquiry at this time being prosecuted in English Counties, into the expediency of applying the principles of the Factory Act to the regulation of the employment of children, young persons, and women in agriculture, especially with a view to the better education of such children?

Mr. KNATCHBULL - HUGESSEN said, in reply, that when the Commission was appointed power was given to the Secretary of State for the Home Department to extend the inquiry to Scotland. At first it was confined to England, but as the inquiry advanced it was found that the circumstances under which women and children were employed in agriculture in Scotland differed greatly from the circumstances under which they were so employed in this country. It had consequently been determined to extend the inquiry to Scotland.

IRELAND—BANKRUPTCY LAW.

QUESTION.

Mr. FITZWILLIAM DICK said, he rose to ask Mr. Attorney General for Ireland, Whether Government have it in contemplation to introduce a Bill this Session to amend the Bankruptcy Law of Ireland, with the view of assimilating the Law in that Country with the changes which are about to be introduced into the Bankruptcy Law of England?

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) replied, that it was not the intention of the Government immediately to bring in a Bill on this subject. Her Majesty's Government were, however, deeply impressed with the importance of amending the Law of Bankruptcy in Ireland, and if the measure which his hon. and learned Friend the Attorney General for England had introduced should pass into law he (Mr. Sullivan) would bring forward a Bill to extend its provisions to Ireland. If a measure relating to both countries had been brought forward great inconvenience might have been the result.

ENDOWED SCHOOLS BILL—[Bill 3.]

SECOND READING.

(*Mr. William Edward Forster, Mr. Secretary Bruce.*)

Order for Second Reading read.

Mr. W. E. FORSTER: I believe, Sir, I must make an apology to the House, which is not very frequently made, for not having entered at sufficient length into an explanation of this Bill when I brought it in. The fact was I knew I should have to make a full explanation on moving the second reading, and not wishing to inflict two speeches on the House, and believing that the Bill might be much more easily explained when hon. Members had it in their hands, my explanation on introducing the measure was as brief as I could possibly make it. Hon. Members need not, however, be apprehensive that my explanation on the present occasion will be as long as I can possibly make it. I propose to be as brief as I can, considering the importance of the subject, which has excited a great deal of interest in the country; but, as there are many details in the Bill, I must beg the attention of the House for some little time. I have this advantage in now entering into a full explanation — that during the three or four weeks that the measure has been before the country it has excited much interest, and some objections have been stated which I hope to be able to answer in the course of my remarks. The first question which hon. Members will no doubt put to me is this —"On what grounds do you ask the House to give to the Government such large powers for the reform and re-organization of Endowed Schools and educational endowments?" Therefore I must briefly state to the House the facts which have induced the Government to come forward and ask for these powers. I happened to be on the Commission which was appointed to inquire into the condition of secondary education throughout the country, and I will, as briefly as I can, give the final upshot and result of that inquiry, which was conducted by many men much more worthy of regard than myself—men of different political and religious views, and I think most of them men whose opinions on educational questions would have great weight on account of their antecedents. We were ordered to examine into the condition of all schools which had not been examined into by two previous Commissions—the one being that presided over by the Duke of Newcastle, which dealt with elementary education, and the other the Special Commission which was appointed to inquire into certain Public Schools. The first difficulty which we had to contend with was that, being supposed to be a Commission whose duty it was to examine into middle-class education, we found it almost impossible to define the meaning of the term "middle class." We found that it included an enormous portion of the community; but for our purposes we quickly discovered that this great section of the British population might be divided into three parts—that for school purposes they were very conveniently divided by the ages at which the boys in general left school, and that by those ages we might in broad terms define very well the class and condition of the parents. We found that one class was composed of men in much the same position as those who usually send their sons to those Public Schools for which we legislated last year, such as Eton, Harrow, and Winchester—men, in short, of independent income, and for the most part men who look forward to sending their boys to the Universities or to giving them the same school education as those receive who go to the Universities. The age we found at which the boys educated at those schools—the tone of which was very much the same as that of our great public schools—left them was generally between eighteen and nineteen. We also found that there was a second grade larger in point of numbers which left school generally between sixteen and seventeen, which comprised those who were being educated for special professions—such as the army or engineers, the medical or legal professions—and those who were being educated, and they constituted a considerable number—for trade. We found also that there was a third grade very much larger than the other two—indeed, as great, if not greater, than both together, and, in my mind, the most important grade, as far as the question of legislation is concerned—in which the boys left school about fourteen, and were the sons of small farmers, small tradesmen and shopkeepers, or of superior artizans. I shall not trouble the House with any detailed account of the condition of these three grades, but, on the whole, the result as we ascertained it was certainly not satisfactory. In the first grade we found that the education attempted was a high classical education, given in many cases successfully; but we found generally that there was great difficulty in obtaining a good scientific education, such as might be obtained in Germany or France, and that there were not many schools in the kingdom in which such an education could be procured. We found, in short, that parents who were in a position to spend any amount they might please on the education of their boys experienced great difficulty in getting them taught well anything but Latin and Greek. The same remarks apply to the second grade, at which the boys did not remain long enough at school to obtain anything like a complete knowledge of Latin, their acquaintance with Greek being little more than a mere profession, while the sciences and modern languages were neglected. Petitions have been presented this evening on this subject, and in one of them—that from the Council of Medical Education, which is signed by Dr. Hawkins, and into which I have had an opportunity of looking—the petitioners say that—

> "The maintenance of a sufficient standard of examination is rendered exceedingly difficult owing to the defective and limited education generally given in secondary schools."

Again, in the Petition signed by Dr. Acland on behalf of the British Medical Association, composed of about 4,000 members, there is a statement to the same effect. I will now trouble the House with one or two answers which were given in the course of the long inquiry of the Commission. We examined, among others, Dr. Gull, who was asked—

> "What, in your opinion, is the state of previous education which at present, generally

speaking, the candidates for the medical profession obtain?"

The answer was—

> "I should say still a very defective condition. There is no thoroughness in the teaching. I should say that men are defective in common writing and spelling. . . . Of course there are numerous exceptions, but it is still a common thing. There seems to be no training of the faculties of men for acquiring knowledge at all."

Dr. Gull describes the age of those of whom he is speaking as about sixteen, and Mr. Paget, in answer to a question which was put, said—

> "I should say that the condition of knowledge of young men coming up for examination in regard to scientific subjects is highly unsatisfactory."

I had an opportunity of seeing the Petition, presented from the London University, in which it is pointed out that their matriculation examination is not of a very high standard. "Nevertheless," they say—

> "The average proportion of candidates who have been unable to pass the matriculation examination during the last ten years has been nearly 40 per cent, a fact which, considering the object and nature of the examination, proves the existence of grave deficiencies in the secondary school education now provided in this country."

That applies to the first and second grades, and in the case of the third grade—which occupied our attention more than any other—we found the state of things to be even more unsatisfactory. Parents in the first grade, being generally persons in affluent circumstances, are able to take care of themselves, and I think it is hardly necessary to legislate for them, though we spent a considerable portion of last Session in discussing a measure relating to our great Public Schools. The same remark applies to the second grade, but if we are to look after education at all in the country we must direct our attention to the third grade which I have mentioned. With respect to that section of the community we did not find either that the aim was high or that the education given was as good as it might be. As Canon Moseley says, what is wanted by parents in this grade is very good reading, very good writing, and very good arithmetic, though I should be sorry if the portion of our population of which I am speaking should be content with the elements alone. The final conclusion at which we arrived was this—After saying that—

> "Whether schools shall be public or private, for boarders or day scholars, large or small, nay even what shall be the particular curriculum, is a secondary consideration, and saying that the first consideration is that the teaching shall be sound and stimulative, the discipline manly and firm,"

the Commissioners add—

> "It is plain from the evidence of our witnesses, and the still more important evidence of our Assistant Commissioners, that the schools, whether public or private, which are thoroughly satisfactory, are few in proportion to the need. Of these few there are some public and some private, but the private schools are those intended for the upper class and the upper half of the middle class. Below that line there is little good education till we come to the elementary schools under Government inspection. That little, however, is in public schools."

No part of the Report is, in my opinion, more completely borne out by examination than that general summary of the state of education. But, passing from that part of the subject, I come now to another portion of it into which we were ordered to inquire—I mean the resources of Endowed Schools which were provided by our ancestors chiefly for the purpose of giving secondary education. It was our business to examine into the number and income of those schools, and the following are the statistics on the subject, which I am enabled to furnish as the result of our inquiries:—Of Grammar Schools, into which it was more particularly our province to inquire, there are, independently of the seven Public Schools for which Parliament legislated last year, and including St. Paul's School, but not including Merchant Taylors', 782, whose gross income is £345,757, of which there is a net income for the purposes of education of £202,684. Those schools have also control over exhibitions amounting to £14,265. There are 2,175 schools whose total endowments amount to £247,480, of which I believe about half is applied to education. We have consequently 2,957 Endowed Schools whose gross income is £593,281, out of which, at least, £340,000, is at present appropriated to education. Now, that is an income which ought to do a great deal. I have had one or two maps made with the Endowed Schools marked on them, and it may be seen that they are scattered all over the country, so that one would expect that if this large income were well bestowed, it must have a great effect on education. I will now briefly describe the result of our inquiry into the condition of these schools; and, in doing so, I will refer to some of the cases which came under our notice, not mentioning the names of the schools, which, however, can be furnished to any hon. Member who may desire it. The head master of one of the schools told an Assistant Commissioner that—

> "It was not worth his while to push the school, as with the endowment (about £200 a year) and some other small source of income he had enough to live on comfortably without troubling to do so."

Another master of a large Endowed School, having an endowment of £651, put his nephew and son into the respective positions of second and third masters. The Assistant Commissioner—

> "Found the discipline most inefficient, and the instruction slovenly, immethodical, and unintelligent; there was no one subject in which the boys seemed to take an interest, or which had been taught with average care or success."

At another school—at a short distance from the one just mentioned—with an income of £610 a year—

> "There were thirteen pupils, and it appeared as if even this number would be reduced; the school rooms were in a shameful state, and the scholars, though showing signs of having had teaching, were in a thoroughly bad state of discipline, and apparently only staying on to qualify for the school exhibitions."

There was another school reported on in the same district, with an income of £204, so that if all these schools had been well and carefully administered, the education of the whole district might almost have been provided for. At this school—

> "The sons of the master and of the incumbent of the parish appeared to absorb an inordinate share of the teaching; none of the town boys had made even respectable progress in the ordinary rudiments of education."

Then, again, there was a school with a

> "net income of £792 a year, where the head master taught three boarders, and no others: the under master only attended when he chose; the usher taught an inferior village school."

In another school, where two masters received £300 between them, and one had a good house also, one boy was receiving instruction, while a private school close by had eighty boarders and forty day scholars, paying higher than the grammar school fees. At another school, with an income of £266, there were only eleven pupils, and "the whole place wore an aspect of decay and desolation," but the master objected to a new scheme being procured. In another instance the master had other business, and at one time carried on continuously with the school the business of a flour and spinning mill. The upper half of this school "were profoundly ignorant on all subjects." In another, where the master—since dead—received over £200 a year, the Assistant Commissioners found him occupied in preparing a system of "teaching prime numbers," the system being contained in two perfectly unintelligible cards, which were shortly to be brought into use in the school. There is another case in the south of England in which the trustees made it a condition with the master on his election that he should take boarders, but he fixed the terms so high (£120 a year) that they were practically prohibitory—

> "Six day boys, all very young, and paying fees composed the school. The boarders' dining room was occupied as a coach-house by two of the master's carriages, the night study was a laundry, and the large dormitory a billiard room."

Our Assistant Commissioner in Suffolk found that at one school the master—

> "Did no work whatever, but supports an old age in the comfortable schoolhouse; at another he was almost helpless from age and paralysis; at a third he was honest enough to declare that he was no longer fit for work; at a fourth he was deaf; while at three others he was no longer in the prime of life, and was languishing under his work. That is to say, more than a fourth of the grammar schools in one county were suffering from the bodily infirmities of the master."

Now, I do not say that those instances give an average impression of these schools. There are many good schools among them, and many more aiming to be good. There are many which give a substantial education, and with regard to those which do not succeed in giving it, it often arises as much from the system not meeting the necessities of the time, which require something more than a mere classical education, as from any want of zeal and earnestness on the part of the master. I could point to several most excellent schools which we discovered in the course of our inquiry, and since I introduced this Bill I have found objections made to it, not by the bad schools—they never come near me—but by some of these good schools. They are afraid of the Bill. Now, I wish to assure them and the House that it is not for the good schools that the Bill is framed. We cannot, of course, exempt such schools by name, for in that case there would be no end to endeavours to obtain it, but schools which are well managed need fear nothing from the operation of a Bill which is to introduce good management. Looking over the state of our Endowed Schools generally, I find, independently of the glaring errors I have mentioned, two or three deficiencies in the system. Even the good schools aim too exclusively at a classical education, and have an almost irresistible tendency to become monopolized by the children of the rich. As they become good classical schools they raise their terms. The schools next in rank, where the pupils leave about the age of sixteen, take their type and example from the superior schools. They attempt to give an education from which the children can derive little benefit, because it is of no use to confine education almost exclusively to Latin and Greek in dealing with boys who leave school at sixteen. Many of these schools, therefore, with excellent intentions, are yet practically giving scarcely any education at all. Below these, again, there is a large class of elementary schools which, when good, merely save the neighbours from doing their duty in providing elementary instruction, and when bad, prevent the establishment of good elementary schools. In fact, speaking generally, where Endowed Schools do not do good, they do harm, because they prevent the competition of other schools. A bad classical or *quasi* classical school keeps out of existence a good commercial school. A bad elementary Endowed School prevents the establishment of a good inspected school. Indeed, I must say that if we cannot reform the whole system, I should be inclined to agree with some persons of great weight and authority, that with the view of promoting education throughout the country, we had better ignore the Endowed Schools; that if we cannot reform them we had better lose sight of them and go on as if they did not exist. But I will not abandon the hope that it is possible to reform them and that, when freed from the abuses which have arisen in their administration, they will be productive of great good in the future. It is only because beneficent men now living see the misapplication and the uselessness of educational endowments in the past, that we have not at this day as large endowments as were given in former ages; and I believe that if the Legislature now determines that the real intentions of the founders shall be carried out, and that the spirit shall not be sacrificed to the letter of these trusts, these old endowments will be succeeded by still larger ones in the future. We have an instance of this in the case of Mr. Whitworth, who, for the spread of education, has made an endowment quite equal to any made in the time of Edward VI. Well, now we come to the question what we may hope to do in re-organizing these schools. I have endeavoured to show what is the state of secondary education, and next, what are the resources of the Endowed Schools, what they are doing, or rather, what they are not doing; and now, one word as to what they might do if they were rightly re-distributed and reformed. I believe that they might then give the education which is needed to vast numbers of the middle classes—to many more than the 37,000 children who are already in these schools—and that they might do this so as to stimulate the private and proprietary schools, instead of preventing their existence. They should be administered, I think, not upon the principle of bestowing education as an alms and a dole upon classes who can afford and who wish to pay for it, but rather upon the principle that what an endowment can rightly do is to provide good and sufficient buildings, and put the master in such a position that while he has a small and certain income at starting, the increase of that income shall depend on the way he does his work. We had to consider carefully this question—whether it is desirable that masters should have any payment out of the endowment, or should entirely depend upon the school fees. I confess that I formed my opinion on this point in a great measure from my trade experience. I looked upon masters as persons employed by the trustees to do certain work, and—I hope they will not feel the comparison a disparaging one—I thought it would be right to treat them as I should treat persons whom I employed to do any commercial work. Now, I have found that the way to get the best service in such cases is to give a small fixed income, which makes a man independent of great want or calamity, and then make the remainder of his income depend, fairly and generously, upon the success of the undertaking in which he is engaged. I believe that will be the system by which we can best regulate the payments to the masters of these schools, whereas now very frequently their income is entirely independent of the success of the school, and in those cases the school does not succeed. Hitherto I have talked only of the middle classes, and have said nothing about the working men and the poor. It may be said that many of these schools were founded especially for the poor. No doubt in many cases they were; but in many cases, on the other hand, it seemed that the object of the founder was simply the promotion of education. But I shall be asked—"How do you propose to administer schools especially founded for the benefit of the poor? Will you hand these over to the middle classes?" Now, I must remark here, that the poor are not confined to one class. There are many needy men—needy, too, from no fault of their own—to whom it would be the bitterest trial and humiliation if they could not give their children a high education. There is many a struggling clergyman, many a professional man, who has worked hard as a physician or as a lawyer, who finds it hard work to give his children the education without which he feels that they will lose their place in society. It is not our business specially to legislate for parents in this class, but we should not lose sight of them; and it is not to the credit of this country that if a man in this class wishes to give his son the same education as a boy in the same class would get in France and Germany—if he sends his son to a good boarding school, and thence to the University—he would have to spend very nearly £2,000 to do so. Then there is a class of parents below that I have mentioned, comprising also many professional men, many tradesmen, and members of the Civil Service, to whose sons something more than a mere elementary education is a necessary of life. These men find a great difficulty in providing the necessary education for their children, and they must not be forgotten, for they pay a large portion of the taxes of the country—I doubt, indeed, whether there is any class which pays a larger proportion of taxes in proportion to their means than persons with incomes of from £150 to £500 a year. They are hit by the Chancellor of the Exchequer in indirect taxation, and in direct taxation through the income tax, and they have a right to be considered. But when I said that this was to be a poor man's question, I meant that it should also be a working man's question; or, if not, I. should hardly be inclined to take the matter up. How, then, can we make this Bill a working man's Bill? It may be replied by seizing the endowments and applying them to the promotion of elementary education. I hope and trust that will not be done. Such a measure would be, indeed, a deviation both from the intentions of the founders, and from the use the foundation, and as to the promotion of elementary education, that is a duty which falls on the nation, and the nation must perform it. I hope, therefore that neither the Chancellor of the Exchequer nor the President of the Poor Law Board will attempt to seize hold of this fund either to relieve general taxation or the poor rates. You cannot, I believe, though it may seem a paradox, satisfy what is due to the working man—and due to him according to the intentions of the founders—without in some way departing from the letter of their intentions. Their intentions were, in very many cases, that all classes should be admitted to the schools, and that those pupils who evinced a special faculty for learning should continue to receive education quite independent of their condition in life or the position of their parents; and that arrangement was easily carried out in those days, when there was not so great a demand for learning as now, and when only those boys who were capable of learning remained for a long period at school. Now the case is altered; education being a necessity to the middle classes, the Endowed Schools are crowded by their children. Gratuitous admission to them is by favour, and it rarely happens that the working man's child comes in; and when he does, he comes in with an invidious distinction. He is often regarded with scorn, and kept out of the playground. The way to really get him in is to substitute for admission by favour, admission by merit, and let the free boys come in by open competition. These schools, therefore, might be made to provide good masters and good education for the middle classes, and also to meet those comparatively exceptional cases, in which children of working men are both specially fitted for high education and can be allowed by their parents to remain at school. Both these ends might be met, but they are not met now. The middle classes do not receive the good education which they want, and it is most difficult for a clever boy in one of the elementary schools to find any means of getting a better education after his first course of instruction is finished. In order to provide means to secure these ends, we need powers to form, if necessary, fresh trusts, and to reform the management of these endowments. We must be provided with power to give the schools, in many cases, fresh governing bodies, to enable the governors to see that the masters teach the subjects which the parents want the children to learn—to give the head master authority over his assistant masters—to give girls, whose education is now the worst cared for, that share in the advantages of these schools, which I am sure was the intention of many of the founders that they should have, and to encourage day schools, for we must remember that without day schools it is impossible to supply good secondary education in towns, though we must also not forget that no sufficient education for the sons of small farmers can be obtained without cheap boarding schools. Above all, we must have power to prevent the rich seizing hold of the results of the reforms now proposed. If this be not done, just in proportion as you make a school good the richer parents will be anxious to send their children to it, fees will rise, and the poor boys will be elbowed out by those above them. There are two ways to prevent this—one, by taking power to fix an average of time at which boys should leave, and thereby to determine the relation of schools one to another; and the other is by making a fresh system of exhibitions, to substitute admission by merit for admission by favour. I hope the House will bear with me while I explain how this free admission by merit will provide for the clever children of the working classes. It will be said that this is a boon in name and not in reality; because if admission is made to depend on examination upon entrance into school the richer parent will have an advantage, in consequence of being better able to prepare his child for examination. I would meet that objection by affixing this exhibition, not to examinations upon admission into the schools into which the boys come, but to examinations at the schools from which they come. You have elementary and national schools in the country, and if you attach to those schools exhibitions to a school above them, every boy who proves his pre-eminence by getting one of the exhibitions is thereby promoted to the school above, and by that means you make a ladder by which the clever boy may mount to the highest education, and you stimulate the tone of all the schools below and around. I will give one instance of the way in which this will work. I will take the case of Edward the VI.'s Grammar School at Birmingham, of which the gross income at present is £12,000, and in a few years will be, it is believed, £20,000, and at the end of the century may be £40,000 or £50,000. When we examined into the school we found free nomination the rule, making this large and good school do as much harm as good. This free admission by favour was described by the head master and our Assistant Commissioners as a—

> "Blight on the preliminary education of the children of 300,000 people, and as having destroyed nearly all the private schools in Birmingham."

Nor did the harm stop there. There were thousands of children who did not gain admission, but whose parents neglected their education, hoping to get nominations. The system has now been reformed, and the following is a statement of the result, received from the Rev. Charles Evans, the head master, in the course of the present month:—

> "The governors have entirely abandoned the system of nomination. Admission to the Grammar School is obtained solely by a competitive examination, in which the candidates are grouped according to age, a certain number of vacancies being assigned to each group. Applicants for admission to the elementary schools register their names at the secretary's office, and are examined and admitted in their turn as vacancies occur. It would, I think be impossible to devise a fairer mode of admission than we have at present, and I feel convinced that if we could only obtain power to impose fees on all pupils in excess of those whom the charity can afford to educate gratuitously—that is, 500 in the grammar and 1,000 in the elementary schools, I should be able to make this institution in a few years educate three-fourths of the children of Birmingham. I regard the free admissions as a most powerful engine for this purpose. In a few years

they would act like so many scholarships, stimulating and rewarding industry and merit throughout half-a-million of people. The surrender of the nomination system is more than equal in its beneficial effects to the re-foundation of the school. The experiment is doubtless being tried under favourable circumstances—a large town to operate on, a school with a high local reputation, and 600 free admissions—that is, about 160 prizes a year to stimulate industry and reward success. These free admissions will soon grow into honourable distinctions, each one of them indirectly educating, by the hopes of success which it will excite, fifteen or twenty boys. The competition is carefully graduated, the candidates being grouped according to age, and a certain number of vacancies being allotted to each group."

In the same manner, I believe, if you properly regulate the system of exhibitions you will produce the same effect on education throughout the country as, in all probability, will be made in the town of Birmingham. It is for powers to obtain these results that we now ask this House. But hon. Members who have paid attention to this subject may ask, are there not already constituted bodies that possess these powers? There is the Court of Chancery, and there is the Charity Commission. But to put a school into Chancery would be very much like what would be thought of putting oneself in Chancery. It is a process slow, cumbrous, and costly; besides the Court of Chancery is not adapted to such educational work. It is the business of that Court to interpret—to form a new scheme by the interpretation of the will of the founder; and when they interpret it, it is often not according to the wants of this age, but according to the letter in which these wants were defined at the time of the foundation. We need not be surprised if this interpretation often varies. Then, there is the Charity Commission, whose services as a body have been but little acknowledged by the country. It has been acting persistently, most laboriously, doing a great work, but it is in fact overworked, and its powers are insufficient. It is only in smaller charities that the Commissioners have the initiative. Besides neither they nor the Court of Chancery have power to consider one school in relation to another, or to attempt any system of re-distribution. True, the Commissioners have the power of submitting to this House special Bills, but this requires so much preparation, and even when the Bills have been prepared, so much watching that it is difficult to carry them through. In fact, since the Commission was instituted, fifteen years since, they have only carried eighteen Bills, and only nine of those related to schools. I trust I have stated to the House some grounds why we ask these additional powers. But I do not for a moment deny that there are difficulties in the way. We thought it useless to attempt to meddle with the matter at all unless we took strong powers; and we might as well not trouble the House with any consideration of the subject as not to ask them to give the means by which we might really effect this work of reform. At the same time we felt we ought to fence these powers with every limitation that could, without interfering with their efficiency, be placed around them. We have endeavoured to do that, and I must leave it to the House to say whether we have or not succeeded. First of all, there are several limitations directly by the Act itself. Clause 11 provides that due regard must be paid to the educational interests of the locality in which the schools are situated, and as regards the locality, I believe that no educational endowment need be carried beyond the county in which it exists. Clause 12 meets existing interests of individuals—trustees, masters and boys. Clause 13 exempts several schools from this part of the Act. These are the direct exemptions by the Act, but they are not the limitations and checks on which I mostly rely. The real check upon the extensive powers we take and give is the method by which we intend to use them and the body to which we give them. We have fixed on that body which we think most likely to be under the greatest sense of responsibility to local and public interests. Public opinion is, after all, the best check in this country. The Government carefully considered the question as to the body to which it would be best to give the power we ask for in this Bill, and, after the closest consideration, it seemed wisest and safest that we should not shirk responsibility in this matter; but if the Government of the day undertook it, it is impossible for them to do it without special assistance. The whole means of procedure, then, are these—It is the Government of the day working by special help. The Commissioners, as described in the Bill, who are to propose the reforms, are merely officers assisting the Government, and the mode in which they are to work I will briefly describe. I believe some persons have thought that the Commissioners have in themselves the power to alter trusts and settle schemes; but the Commissioners alone have no power whatever. What the Commissioners are able to do is this, as provided in Clauses 26 to 45—They are instructed first to prepare schemes; next, having prepared and published these schemes, they are to send them down to the governing body of the school—the trustees and head master—care being taken also to publish them in the locality, so that parents and all interested may be informed of them. Then, two months are to be allowed, during which the Commissioners are ordered to receive suggestions and objections. They are then, if necessary, to go down to the locality, or send down an Assistant Commissioner to make local inquiry, and after the local inquiry is completed they are to make up their own minds as to what scheme is to be proposed, and the scheme thus finally proposed by them is to be submitted to the Educational Department of the Government—the Committee of Council, in which I have a subordinate place at present. The responsibility will rest on the Government whether they approve the scheme. If they do approve it they will lay it before Parliament, and it will become law, if not objected to, within forty days by either House. Everything the Commissioners do will be mere waste paper till it has passed the ordeal of Parliamentary assent. There will, therefore, be in every case ample opportunity to object to a scheme locally and in writing, to bring local influence to bear on the Government, and also on both Houses of Parliament, for the purpose, if necessary, of disallowing it. Hon. Members may feel some surprise that the machinery proposed by the Government deviates so widely from the recommendations of the Schools Inquiry Commission. No doubt, the Schools Inquiry Commission recommended a system of Provincial Boards. I was a member of that Commission, and we spent some time in considering that question; and I am still inclined to think the conclusion we came to was correct, if we could find such a constituency as we require; but the difficulty was to find such a constituency ready to our hands; and, indeed, the difficulty of finding a perfect local constituency was almost an insuperable one. There was the other suggestion of the School Inquiry Commission, that, failing such a constituency, Government must make their own choice of local nominees. But how could the Government be sure that any local constituency would really have the confidence of the locality? We have endeavoured to secure by the means we propose both local inquiry and the hearing of local objections to every scheme. There is another difference between our Bill and the recommendations of our Commissioners. They recommended not merely an immediate reform and re-organization of the schools, but that there should be a machinery at once constructed that should secure the future inspection of the schools. It is objected to this Bill that we ask for great powers to re-organize, without taking any security that the schools do not go back in a short time to their old level. I must acknowledge that if hereafter matters were left alone this would probably be the case; but we thought it was better to leave this question to solve for the future, and for this reason—not that there should be no power to see that the trustees do their duty, after new trustees are appointed, but because we shall be in a better position, after these reforms and re-organization are completed, to decide to whom these powers had better be given, and what powers are necessary. I propose, therefore, to leave this matter for the present to the Charity Commission, which has exercised its powers with great conscientiousness and care. But this is a temporary Bill for the reform and re-organization of Endowed Schools, and when it has been completed—in, perhaps, about four or five years—we shall be in a different position from what we are now, and we shall know what powers are necessary. Besides, we may hope that in that time a general system of education may arrive at something like a permanent position. We may expect that a change will be made in elementary education in two or three years, and when that is settled we may more completely define what the powers of the central government ought to be in regard to education, and how they ought to be exercised, and we may hope to find some means of creating local representation and a local constituency in educational matters. We have not followed another recommendation of the

Commissioners. They recommended that in many towns, where the Endowed Schools do not meet the wants of the population, power should be given to make a rate for building municipal secondary schools, and for improving the existing buildings. We think we had better leave this also to the future. There is at present much difference of opinion with regard to the incidence of rates, but that also is a question which cannot long remain without some settlement.

The first part of the Bill — and, possibly, the most important part — is that for the reform and re-organization of the Endowed Schools. In schemes for this reform, it has been thought necessary to make one or two directions, especially concerning what is called the religious difficulty, but which I must say is far less of a difficulty than it is generally supposed to be. This question increases in difficulty in proportion as it applies to schools not frequented by our sons, and it is less in these Endowed Schools than in elementary schools, but still the difficulty exists. The hon. Member for Stamford (Sir John Hay) has put upon the Paper one or two Amendments to the clauses affecting the religious question. I do not doubt that he has looked at that portion of the Report of the Schools Inquiry Commission which shows how the recommendations were arrived at on which these clauses were founded. These recommendations were framed and signed by gentlemen having as strong a view on that question as it was possible to find. We had long debates upon it, and at last the Report was signed by the Dean of Chichester, Mr. Thorold, and Lord Lyttelton, and I would suggest to the hon. Baronet opposite that he should read the long memorandum by Lord Lyttelton giving a history of the process by which he was convinced that the Conscience Clause was a fair and just one. [Sir JOHN HAY: I have read the whole of it.] The principle of that clause is that all public schools must be open to the public. It is the pride and glory of these Endowed Schools that they are public; that means that they are open to the public; and it is our duty to see that that large portion of the public who are not members of the Church of England are not excluded from them. But while we give the greatest possible power and latitude to the parents to insure that they may share the advantage of these public schools without having their religious views interfered with, we have also borne this in mind, that the position of day and boarding schools is very different. The master of a day school has the care and superintendence of the boys while they are in the school, but the parent has the real charge of their moral and spiritual welfare. But when you send a boy to a boarding school you give the master the trust and responsibility of superintending the moral and religious instruction of the boy in your place, and you sympathize with the master when he says that he can only teach his boys the religious views that he himself holds. In the case of such boarding schools we propose that, at the wish of the parent who objects to the religious education in such school, day school edution may be provided. I do not, however, wish hon. Members to suppose that this question of the Conscience Clause will ever get practically out of the walls of this House. All these Conscience Clause questions are matters of theory more than of practice. If the matter had been left to schoolmasters and parents to decide for themselves, without any attempt by others to interfere or tyrannize over their religious feelings, we should have found no difficulty in the matter. I have been called a supporter of the secular system of instruction, but there will be no more secular instruction in the operation of these Conscience Clauses as applied to Endowed Schools than there is at this moment. The principle of the Conscience Clause has, in fact, been adopted for years. It is included in every school scheme sanctioned by the Court of Chancery. In the other House of Parliament Lord Cranworth, in 1860, introduced a Bill which became law and which provided for the protection in Endowed Schools of the conscientious feelings of parents not in communion with the Church. Let me read the evidence of the present Lord Chancellor (then Sir William Page Wood) and Sir Roundell Palmer on this clause. The Lord Chancellor gave it as his opinion that the Conscience Clause would be introduced into Edward the VI.'s Schools.

"The Conscience Clause," he added, "is now inserted in every scheme without exception, unless there is a positive exclusion of any but Church

> teaching. It must not be merely a Church school; it must not be merely that the founder says 'I intend this as a Church school;' but he must say 'this is exclusively a Church school,' and if he does not say so the Conscience Clause is introduced."

The cases of exclusion the Lord Chancellor said were, he thought, not many. Sir Roundell Palmer used similar language. The hon. Baronet opposite (Sir John Hay) is really fighting after the battle has been decided, because the thing has been done. Sir Roundell Palmer said—

> "I think it is now well settled that in all cases where the Court settles a scheme—it being a Church school—it says religion should be taught according to the principles of the Established Church, but that no children whose parents, or persons standing in the place of parents, object, should be compelled to learn any formularies or to attend the public worship of the Church of England."

Again—

> "The only case which would preclude the Conscience Clause would be if there was an express and positive direction that every child should be taught so and so; but the cases are so rare that one almost suspects where they do exist they are overlooked in practice."

We have thought it right to except from the operation of the Conscience Clause all purely denominational schools, whether Church of England or otherwise. It was supposed by some that, by using the word "denominational," I did not intend to include the Church of England schools, and by others that I did intend to include the Church schools, and to cast thereby some slur on the Church of England. I hope I shall be acquitted of any such designs. I have so often heard hon. Gentlemen opposite speak of denominational schools, and express their preference for a denominational system of instruction, that I thought it a natural word to designate schools whether connected with the Church or not. By the 25th clause we take a modified power to deal with certain charities that have not hitherto been regarded as educational. There was nothing that appeared to us more clear than that a vast number of these charities, instead of doing good, were doing harm. I cannot help thinking, therefore, that it would be an immense advantage that, while re-organizing our educational endowments by this Bill, we should not lose sight of those charities, especially in the neighbourhood of the schools, but that we should see whether they might not be made use of for purposes as good as those for which they were originally established. No doubt, any power of this kind ought to be used with great care. My hon. Friends the Members for the City of London (Mr. Crawford and Mr. Alderman Lawrence) have presented Petitions on this subject from City companies, whose lasting success has no doubt been very much owing to the way in which they have looked after their own interests, and the interests of those who have been committed to their charge. I trust, however, that they will find in the course we propose to take that the fear they entertain is groundless. But I should be sorry if this clause were not, in principle at least, accepted. What we propose is this. We thought that the Commissioners would have already so much to do that we ought not to put upon them the task of inquiry, and therefore we have, as it were, made use of the Charity Commissioners, and decided that no charities which are not educational are to be used for educational purposes unless recommended by the Charity Commissioners. If hon. Members will read the Report of the Charity Commissioners, issued only a day or two ago, I have no doubt they will admit with respect to many of those charities, that, if doing some good, at least a large amount of mischief is mixed with it. There is, for instance, Smith's charity, of £16,000 a year, a part of which is given to poor relations of Smith, who appear to be discovered year after year, though Smith died more than 200 years ago. Certainly, as far as I can discover, those who partake of this charity cannot be happier, but are a great deal poorer from their chance of receiving a portion of this bequest. But that is but a small part of the harm done. The Commissioners do not speak of it in terms of very strong condemnation, but the evidence they produce shows that more than half the income is given in doles in 209 different villages and towns, and it is impossible to read that evidence without feeling that in far the larger majority of cases those doles are pauperizing the places in which they are distributed. In fact, the statement of an incumbent of one of those places is, "I consider that a charity was never worse applied. I think its effects are demoralizing."

I come now to the second part of the Bill, and here I have to say that though we consider local inspection may be postponed, we have not thought that the examination of the schools could be put off. I wish here briefly to explain why we do not feel that we could postpone the examination of the schools. Why is examination needed? Because it is the only way by which we can carry out the principle which, generally speaking, has been acknowledged by both sides of the House in education, as well as in other matters—namely, that we should pay by results if we possibly can. If results are rightly defined and the payments fitly arranged, so that in trying to obtain one result we do not sacrifice another, nothing is so good as such a system. But it is impossible for the State to adopt this system directly in dealing with Endowed Schools, because we are not the paymasters, for after all it is the parents who are the paymasters. The way we can get the masters paid by results is to guide the parents. Now what is the use of having culture in the country, and of the State being able to bring it to its aid, if we cannot help the poor farmer and tradesman by some such examination as would give them that guidance in the choice of schools which almost all acknowledge that they greatly want? Well, if we are to do that, we simply require that there should be a power possessed by some body or Board of examining all the scholars in all the Endowed Schools once a year. We say that we think that ought to be compulsory upon all whom we touch by the Bill, that is, upon all Endowed Schools except those which we already examine —that is to say, those in receipt of a public grant from the Privy Council— and the seven Public Schools for which we legislated last year. I am sorry that such a provision was not put into the Act relating to those Public Schools, because I believe it would have done them much good, and in that way an example would be set to other schools which show some reluctance to be classed side by side with schools that are their equals. But we found from every kind of inquiry there was another want, a want arising from this—that many masters are incompetent. To remedy this defect training schools for secondary education were suggested. We find that training schools in France have done great good, but upon the whole the Schools Inquiry Commission came to the conclusion that they would not recommend them, because their establishment would give too much power to the Government and too little scope for diversity of thought and the free action of opinion. But the Schools Inquiry Commission did come to the conclusion that the request which private masters made—that certificates of competence should be given by some competent body—was by no means unreasonable. We, therefore, take power to intrust the granting of these certificates to what we regard as a competent body. What shall this body be? You must remember that it is a Board or a Council that is to be formed, not for the purposes of inspection or seeing that the law is carried out and that the trustees fulfil their duty, but simply for the purpose of examining and informing parents of these two things—what masters have to teach and how these masters do teach. The body to whom we have thought it right to intrust this power is the body that was recommended by the Schools Inquiry Commission — an Educational Council of twelve members, six to be chosen by the Universities of Oxford, Cambridge, and London, and six by the Government. It was thought that the older Universities of Oxford and Cambridge, from their distinguished history and from the position which they had held and still hold in public estimation, and the younger University of London, from what it had been able to do in so short a time, would win the confidence of the country; and I must say this, I am sure from inquiries I have made that the two older Universities are day by day more and more looked up to from all parts of the country as great national seats of learning from which we might hope for assistance in a reform such as this. But we thought there ought to be other men of learning and experience in teaching on the Board, and therefore power is given to the Government to name as many as are to be named by the Universities. I must say that some such Educational Council would be useful, not only for thus examining scholars and giving certificates, but, in all probability, for counselling the Government and the country upon educational matters. It is by means of this Council that we hope to make this Bill have its effect upon private and proprietary, as well as Endowed Schools. After all that may be done for the improvement of Endowed Schools, we cannot rely on them alone for the education we desire to give; we must look to private schools also. We have seen several of the best private schoolmasters, and we find a general desire among them to obtain acknowledgment as a profession. While therefore we have thought it right to compel Endowed Schools to submit to examination, we have also felt that it would be desirable to offer the same examination and certificate to private schoolmasters, believing that the best will try to obtain certificates and will court examination, and that those who shun examination and certificates will themselves be shunned by the public. But we are obliged, in fairness, to make the conditions in the case of private schools the same as with regard to Endowed Schools. I have said, in the beginning of my remarks, that I have had an opportunity of hearing various objections made to several clauses of this Bill. I have had conferences with several of the best masters of Endowed Schools and others, but I am glad to be able to state that I have heard no objection to the principle of the Bill. I have heard no objection to the object at which we are trying to arrive, although I have heard doubts expressed with respect to some of the provisions, and especially as to the Council of Examination. But so far as I can make out these doubts have arisen from misapprehension of our intentions, and I cannot help thinking that if these objections turn out well founded it will be very easy to introduce amendments to remove them. A doubt has been expressed whether in establishing an examining body we did not intend to dictate to the schools the subjects of instruction. We have no such intention. Some have supposed we intended to prevent the Council from acknowledging University examinations, but we have no such intention. Then, again, objection has been taken to the mode in which we make the examination self-supporting. I must say one word on the question of expense. The expense of reforming and re-organizing the schools is to be paid for out of the Consolidated Fund; but the expense of examination will not be paid for in that way, on the ground that, though the country may undertake the expense of the task of reform, it cannot undertake that of conducting the examinations. Another objection that has been made is that it is unfair to exclude the Cathedral Schools from the operation of this Bill. That is a matter which, no doubt, may fairly be discussed. The clause in which we arrange for the dismissal of masters is supposed by some to have an effect and an intention which was never contemplated. Again, I have heard complaints of our definition of educational endowments; and I may at once frankly state what, in my opinion, that definition ought to include, and what, I believe, it does include. It includes all schools for boys and girls for general education, and all exhibitions into and out of those schools. But if it be supposed to include Colleges, I can only say that it is not intended to do so. This, and similar points are, after all, not questions affecting the second reading, and I think they are matters in which the Government may fairly hope to have the assistance of the House generally, and that of Members on both sides, in amending the Bill if it may be necessary. It has been so often said that Bills of this nature are not party Bills that I hardly like to repeat so trite a truism; but I may say, that although this may have been called a strong Government, with a great majority at its back, I believe there would be no chance of our carrying a measure of this kind, affecting so many different interests, if it were a party measure. We put it therefore before both sides of the House in the full expectation that from both sides we shall receive help in perfecting and amending it; and if it should be thought that that help could best be given by a Select Committee like that to which the Public Schools Bill of the right hon. Gentleman opposite (Mr. Walpole) was referred—not, of course, for the purpose of hearing evidence, which would entirely put an end to the Bill—the Government will be quite willing to assent to that course. I will only, Sir, make one or two very brief remarks before I sit down. I feel that this is a difficult question, and one with which I am by no means competent to deal. I could wish that it had fallen into the hands of one who possessed that culture which it has not been my good fortune to receive. But I trust that this measure will not suffer on account of any deficiencies on my part. The work before us is a great one, and having begun that work, I hope the House will do its best to bring it to completion this Session. Depend upon it, this matter of secondary education is one which we cannot afford to leave in its present state. To take only the lowest ground, the competition, commercially, which we have to encounter with other countries, should make us lose no time in legislating upon it. I will take the case of my own borough. I do not know that it is worse—I believe it to be better—than many other places in this respect; but it offers us a very practical illustration. Bradford is a large manufacturing town—the centre of a great manufacturing district; it exports goods to other countries, at least quite as much as the neighbouring towns, and there is no reason why the middleman, the merchant, the person who arranges the process of exchange from the manufacturer, should not be an Englishman. He never, or scarcely ever, is. He is almost always a German in the case of the German or even of the French trade. It is the same at Manchester and, I believe, at many other places. Why is this? Because the education given to the boy who leaves school at sixteen or seventeen on the Continent at once fits him for these pursuits, while our own education for this purpose is deficient. There is a great cry just now for technical education; but it is necessary, in speaking of technical education, to avoid the error of putting the cart before the horse. We must give in our schools—what is given on the Continent—the groundwork and elements of science, before technical education can be of much use. Again, there is one fact bearing on the events of the last year or two which I think ought to make one of the objects contemplated in this Bill seem very important. We have brought new social forces into play that must affect the interests of the country. We have conferred more power upon the labouring class. Who are likely to lead that class? Those belonging to it who have most talent. Therefore, it is surely most important that we should provide the means by which boys of talent among the working class should grow up fitted by culture to use their talents aright. One word more as to the founders. We are told that by reforms we desecrate their memory; but were they here—I almost wish they were—they would help us. They were the reformers of their day. They would be the reformers of this. They would call it a cruel mockery of their benevolent intentions to sacrifice the spirit of their gifts to the letter in which they are worded. And looking at the time when many of these foundations were endowed, there is a special fitness in our now setting to work to give them new life and strength by adapting them to present wants. Many of the richest and most important of these schools date back to the glorious Tudor times, when England was waking up to take the foremost part in the march of Christian civilization. Who were these founders? And why did they endow these foundations? They were men who were possessed by the new ideas of the age; they were fighting for industry against feudalism and for equal laws against class privileges; for free thought against bigotry; and knowing that knowledge and education and culture were on their side, they wished, by providing for future education, to procure champions for their cause in the future. And now, again, new ideas have power—this new central idea, bringing with it many others, that no special class is to guide the destinies of England—that not the aristocracy, nor the *bourgeoisie*, no, nor yet the working class, is to govern England—but that England for the future is in truth to be self-governed; all her citizens taking their share, not by class distinction, but by individual worth. And what is this but England carrying out in her far better way that idea which the great Napoleon strove by force to realize; that one principle which supported him spite of all his errors and crimes, *La carrière ouverte aux talens*, or, as Carlyle translates it, "the tools to him who can use them." Thanks to these founders, we have, at this moment, a great opportunity of helping to the realization of this idea—of yet again making our past minister to our future; and in the confidence that the House will not let slip this opportunity, I submit to them this Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. E. Forster.*)

MR. BERESFORD HOPE, having taken a great interest in the question, tendered his sincere thanks to his right hon. Friend the Vice President of the Council for the candour, the conciliatory tone, and the fulness of explanation which had characterized all his long and very interesting speech. At the same time, he did not think he should have even his right hon. Friend's dissent when he said that the very fact of his speech having been so long and so full in its explanations was the best justification of the considerable alarm which the Bill had occasioned, and he accordingly welcomed and claimed the promise of referring it to a Select Committee. The fact was, that the Bill was not self-explanatory. The scheme drawn out by his right hon. Friend in his speech was the scheme recommended in the blue book, he might say the multitudinous blue books of the Royal Commissioners. But on the face of the Bill there was no antecedent necessity that the recommendations of that Royal Commission should be given effect to in one single particular. What was the Bill, taken briefly? Why, that three anonymous gentlemen, forming an all-powerful triumvirate, should be appointed by the direct exercise of the Prerogative, and that that triumvirate, in an absurdly short space of time, should have power to initiate, to reform, to alter schemes, subvert constitutions, and re-cast the whole arrangements of the numerous Endowed Schools of England. He did not for a moment say that was his right hon. Friend's intention, for he had disclaimed it in emphatic terms; but it must be remembered that the *animus imponentis* was not necessarily what governed any law, and that there was enough in the Bill to excite the apprehension which it had raised, that such might be its practical working. His right hon. Friend said to the good schools—"Don't be afraid, our Bill does not touch you; it is merely for the bad schools." But, in fact, it did touch the good schools, as well as the bad. It swept in—with some named exceptions — every Endowed School, great or small, more than thirty years old. It gave power to the triumvirate—whose names did not appear in the Bill—to frame schemes, to send inquisitions up and down throughout the country, and to arraign and depose the trustees of the most flourishing, just as much as of the deadest and most paralyzed school. It was true that that power was fenced with sundry provisions, and sundry appeals were proposed in behalf of the existing governing bodies; but they all knew how difficult it was for any body of men, however intelligent, who had only a parochial or even a county knowledge of business, to grapple with that higher, finer, and more dexterous experience of administration which the official mind and official habits give to men. And, certainly, to borrow a familiar phrase, on the face of it the power of the Government in that Bill seemed over-weighted. It was over-weighted because it gave to that Commission so sudden and abrupt a power of initiation, without a preliminary day of grace during which the schools themselves might be invited to tender their own scheme. And in the Select Committee, which he gladly welcomed, when they took to re-casting the Bill, he took it for granted that the absurdly narrow space of time appended for that purpose would be altered. In his opinion a requisition ought to be sent to all the Endowed Schools within a certain period, inviting them to send in their own schemes of reform, which might be proposed either by the governing body, or by the masters, or by the community, for whose benefit the school professes to exist. If this were done the Commissioners would be made acquainted with the present mind of the schools and of the locality, and a great deal of the alarm which at present existed would be dissipated. He also thought that the names of the Commissioners ought to be inserted in the Bill. When the Public Schools Bill was under consideration there were discussions both in that House and in another place as to the names of the Commissioners, not from any personal motives, but because a reasonable conviction was entertained that on the *personnel* of the Commissioners must depend much of the tone and character of the reforms they proposed. In the nomination of the Commissioners there would be something like a guarantee, which did not now exist, as to the moderation or the radicalism — he did not use the word in an offensive sense — of the reforms proposed to be carried out. Then, it might be fairly claimed that the number of the Commissioners should not be so small as three. No doubt, fiscal reasons were to be considered in regard to this matter, but it should never be forgotten that efficiency ought to be preferred to economy. The present Government had introduced the precedent of unpaid high officials in the Treasury and elsewhere, and why, then, should they not include in this Commission the names of some eminent educationists who had the means and the desire to give their services to the country gratuitously? If the Commissioners few in numbers, and not impossibly men of one idea, acting from theory rather than experience, should grade schools according to their mere geographical position, a great grievance would often be occasioned. As an instance, he would mention the Free Grammar School at Cranbrook, with which he was well acquainted. At the date of the election of the late master only five or six town boys attended it, and for all reasonable purposes it was absolutely defunct; but a fortunate choice of a new master having been made in him, that gentleman, who died about three years ago, raised the institution to the position of a small public school, which it maintains under his successor, elected out of a numerous list of candidates. There were about eighty boys there at the present time, mostly boarders, sons of gentlemen of high position, partly town boys, sons several of them of small tradesmen, and they were taught high classical subjects, with the good-will of both classes of parents, while at the same time a good modern deportment coexisted. But under the geographical arrangements of the present Bill this school would, in all probability, be graded as a second-class school, in consequence of the proximity to Tunbridge. Such a proceeding would, however, be unfair to the people of Cranbrook, who liked to have an opportunity of giving their children a classical education. This case offered an apt illustration of the evils which might result from schemes being sent down cut-and-dried from an office in London. In the adjacent parish with which he was acquainted there was a school with a pretentious constitution, but without either master or scholars, the endowment being only £35 a year. This, of course, ought to be swept off the face of the earth as a separate school. His right hon. Friend had strongly insisted on the necessity of the clauses relating to what was termed the "Conscience Clause," and urged that the battle on that point had been already either won or lost, according to the views which people held in reference to that subject, as the Court of Chancery had for some time imposed a Conscience Clause on all Endowed Schools which came within its scope. But it was not the bare question of the Conscience Clause that created so much alarm in the minds of many excellent persons in the country when they read that portion of the Bill. It was not a question as to the admission of Dissenting boys to the benefits of education, without calling upon them to take part in the dogmatic teaching, which they objected to; that which led many persons to be alarmed was the loose way in which certain clauses of the Bill were drawn. They feared that if those clauses passed into law many schools which had been hitherto Church schools for all practical purposes would be gradually metamorphosed into Dissenting schools, and that, on the other hand (for he desired fair play) Dissenting schools might be changed into Church schools by a dexterous manipulation in the choice of the governing bodies. There was no objection to opening the doors of Church schools to scholars of all denominations; but, at the same time, if a school had had a dominant denominational character, either from its commencement, or for a long time past, that character ought to be sufficiently preserved. On this point the master of an old grammar school, characterized as "very satisfactory" in the blue book, had written to him in the following terms:—

> "I have no remark to make on the clauses which relate to religious instruction, for this reason—under the new scheme given by the Master of the Rolls in 1855 for the regulation of this school it is ordered that religious teaching be on the principles of the Church of England, to which all the scholars are entitled unless a parent gives in writing an objection to the same. I have been head master of this school nearly fifteen years, and have never received a single notice of objection to the course of religious instruction all that time until last week—that is, since the introduction of this Bill into the House of Commons, and I believe that emanated from the bidding of a body in London which concerns itself in this matter. Since I have been master I have had upwards of 350 boys in the school of various religious opinions, and among the present scholars are a son of a Baptist minister and a son of a Wesleyan minister whom I am preparing for Cambridge University."

He contended that this school ought to be allowed to go on in the same manner as hitherto, and no risk ought to be run of impressing any "body in London" or elsewhere with the idea that they might, by means of a little successful agitation, substitute for the Conscience

Clause the subversion of all distinctive religious teaching in any school. He held in his hand another communication from the head master of a large school. It was a distinctive Church of England denominational school, and as such these clauses did not weigh upon it and as also it was founded within the last thirty years it did not come under the provisions of the measure. His correspondent, therefore, was not actuated by any personal feeling in the matter, and, moreover, he was a strong Liberal in politics. Nevertheless, this gentleman expressed the greatest alarm at these clauses, for fear they should ultimately lead to the obliteration of all religious teaching in nearly all the schools in the country. He had, he thought, given sufficient reason to show that the Select Committee must re-consider this portion of the Bill, in order sufficiently to protect in a liberal and comprehensive spirit the religious colour of each school wherever any had been impressed upon it by long traditionary usage. He wished, moreover, to point out that the Bill was not merely formally, but really, divided into two parts, and it might be a question whether the latter or permanent portion, might not be advantageously postponed till next year. He ought to mention that another very distinguished head master, presiding over one of the most successful of modern schools, Wellington College, who had written to him, objected to the clause which required a certificate of fitness to be obtained from all persons being desirous of being appointed masters at schools other than the exceptional seven Public Schools. He was himself from personal association anxious to sustain the credit of those old foundations. But he was still more anxious for fair play, and he desired to give an equal start to the new Public Schools which had challenged them to an honourable rivalry, and to those distinguished ancient Grammar Schools, which were actively bidding for places in the front rank. Now, if Harrow, Eton, and Winchester might select their masters from the tripos list at Cambridge or the class list at Oxford, it was unfair to require University men, if chosen masters of Wellington or Bradfield College, or Tunbridge, Ipswich, or Uppingham School, to go down provided with papers signed by the Educational Board in London. Honours, he contended, ought in every case to be a certificate. He was not prepared to condemn the examination as proposed by the Bill, but he must at the same time point out that they would involve a risk of cramming, not, indeed, in the great, but in the smaller and private schools, which would be tempted to regard the good report of the examiners from the profit side; and as to the mode of conducting the examinations, he thought it would be much more effectual if an Assistant Commissioner were sent, from time to time, to present himself at a school when he was least expected and see how things were actually going on. Such unpremeditated examinations would test the working capacity of the master, as no cut-and-dried questions from London could do. If, then, the second part of the Bill were to be passed in the present Session—for which he saw no reason—the whole question relating to the examinations would require to undergo careful revision. There were other points in the Bill on which he should like to comment, but he would abstain from saying more with respect to it on that occasion. He had said enough to show that, urgent as the need of reform in the Endowed Schools was, and able and straightforward as was the statement of his right hon. Friend, yet there were deficiencies in the measure which fully justified those who were most anxious for a thorough reformation in not accepting it precisely as it stood on the *ipse dixit* of the Executive. With a view to their amendment, he would readily accept the Select Committee which the right hon. Gentleman had offered.

Mr. JAMES HOWARD said, the right hon. Member who introduced the Bill before the House had stated that during the inquiry made by the Commissioners a great number of ill conducted schools and badly managed endowments had been brought to light, but that some really well managed and good schools had been met with. The right hon. Gentleman further stated that whilst the trustees of the bad schools had not been near him, the governing bodies of the good schools had sent up deputations which had waited upon him; that whilst the badly managed schools would be reformed and dealt with, the good schools had nothing whatever to fear from the operation of this Endowed

Schools Bill. He (Mr. Howard) was glad to hear these remarks fall from the right hon. Member, for in the borough he had the honour to represent in that House one of these good schools did exist, and some 1,600 children were receiving therein an excellent education. The introduction of the Bill before the House had filled the minds of the trustees with anxiety if not with alarm, and he was therefore glad to hear that such a school had nothing to fear from the operation of the Bill. Nevertheless, he (Mr. Howard) was anxious on one point. Under the provision of the Bill three Commissioners are to be appointed to frame measures for the future disposal and management of the vast number of charitable endowments in the kingdom. The duties of these Commissioners will be of the most grave and responsible character. What he therefore desired to know was who was to nominate them? and he would also ask whether this House is to have any voice in the election or rejection of these important officers? He believed that it would be a great national disaster should gentlemen be appointed to this office who had imbibed educational hobbies or crotchets, or who are under the influence of narrow or stereotyped views for dealing with so great and comprehensive a subject as the future education of the great middle class of the country. He gathered from a perusal of the Schools Inquiry Commission, that some members of that Commission inclined to a considerable extension of boarding schools — indeed desired a complete net-work of boarding schools similar to our great leading Public Schools. As this Bill is founded upon the Report of this Commission perhaps he should not be considered out of order if he made just one or two remarks, and only one or two, upon the subject. It did not appear to his mind that a large extension of boarding schools is what the country most requires. Those who can afford to avail themselves of boarding schools are quite capable of taking care of themselves. He would rather devote a large portion of the funds which will accrue, should this Bill become law, to the establishment of superior day schools, and thus bring home to the very doors of the middle classes and place within their reach a cheap yet superior education. There are vast numbers of parents of the upper and middle class who had a liberal education themselves, and who naturally desire similar advantages for their children—but from their straitened circumstances they are altogether unable to afford the expense of sending their sons to a boarding school. Hence the necessity of bringing as it were home to them superior day schools in which a liberal education would be imparted at a small cost. This view of the subject had been forced upon him from the fact of his having been for twenty years past a trustee of one of the largest of our Endowed Schools, and of the advantages of which thousands of families of the class he and the right hon. Gentleman had alluded to had availed themselves. He (Mr. Howard) considered the Bill open to objections in many of its details and trusted that the Government would consent to the course recommended and refer the Bill to a Select Committee.

Mr. GATHORNE HARDY: It was, Sir, with great pleasure and satisfaction I listened to the statement of my right hon. Friend the Vice President of the Committee of Council (Mr. W. E. Forster). He has placed it, I think, beyond dispute that the condition of Endowed Schools in this country is such as to call for some strong remedy; and although I am not prepared to say that I assent to every point in his Bill, yet there is, I am sure, every disposition on both sides of the House to turn to the best advantage those endowments which have been left by our forefathers. My right hon. Friend the Member for the University of London (the Chancellor of the Exchequer) presented a Petition from his constituents to-night in favour of the Bill, but he did not, I observed, express his concurrence in its prayer; nor am I surprised that such was the case, for the right hon. Gentleman has written a pamphlet on the subject, which shows that it is one upon which there must be some slight difference of opinion among the Members of the Government. Indeed, the right hon. Gentleman is, as far as I understand, of opinion that with all the buttresses which we may build up to strengthen our endowments we are simply endeavouring to prop that which in itself is pernicious. That, however, is a matter which I shall leave my right hon. Friend the Vice President of the Committee of Council to settle with his right hon. Colleague, who, although he presented a Petition in support of the Bill, absented himself during the delivery of a speech from the Treasury Bench which would no doubt have given him very great pain. I wish now to say a word with respect to the Endowed School charities, where, for instance, there may be an endowment under £100 a year. In those cases the Commissioners are to have much greater power than in others; but there are many instances in which such schools are admirable, and in which the endowment of £100 a year constitutes the least part of the advantage derived from them by either the masters or the scholars, for although the endowment might have brought the school into existence, it, in the main, contributes little or nothing towards its support. The most irresponsible power will be vested in the Commissioners in regard to such schools, for they will have a less power of appeal than that which will be possessed by schools with large endowments which might not have attained to the same degree of practical efficiency. Now, in my opinion, the schools with endowments under £100 a year ought to have some protection in this respect. There is also another point which requires, I think, to be discussed at some length. I allude to the question how for the purposes of the Bill those small charities are to be dealt with which are mentioned in the 25th clause. Anyone who has seen the working of those charities must come to the same conclusion as my right hon. Friend (Mr. W. E. Forster) stated in his speech to-night—that they are not only in many instances useless, but often pernicious. But, at the same time, they were in the main intended for particular classes. I have read an account of the use made of Mr. Henry Smith's bequests. A gentleman with £400 a year has, I think, got part of them, and it is quite clear that that is not the sort of poor relation who was contemplated by the donor. He meant his bequest for the benefit of the poor, but this measure, it appears to me, takes some of those funds from the destitute poor, and applies them practically to the purposes of middle-class education. There are plenty of uses to which they may be applied with the view of benefiting those for whose advantage they were originally intended; and I am sure the middle classes do not themselves desire, if they are only so applied, to appropriate them in any sense to their own use. In the main, it is no doubt desirable that parents, where they have the means, should see after the education of their own children; but after all the State has a duty thrown upon it by the trusteeship of these endowments—a state of things which is recognized in the powers intrusted to the Charity Commissioners. They would not be able to undertake the great work proposed by this Bill, and I agree with the hon. Member for Cambridge University (Mr. Beresford Hope) that it would be most desirable, as well in the interest of the public as of those who are to be dealt with by the Bill — especially the head masters of these schools, many of whom are of the very highest character and possess a reputation not inferior to that of the head masters of the great Public Schools—that the names of the Commissioners should be inserted in the Bill. It would be very hard for the masters to be subjected to the control of Commissioners whom they could not look up to and respect, and as the names of the Commissioners appeared in the Bill of last year, I do not see any distinction between the two cases, or any reason why these names should not appear in this Bill also. When the Bill has received the sanction of the Legislature, the masters will thereby receive a guarantee that their interests will be properly looked after by men who have passed the ordeal of a scrutiny by both Houses of Parliament. Many points of detail have been submitted to me, but I do not think it desirable to discuss them at this stage of the Bill. They will be considered by the Select Committee, and I should not be justified in trespassing upon the House by adverting to them now. I will only say in conclusion that I shall be happy to give all the assistance in my power to the Bill in its future stages, so as to make it a measure which will be in accordance, not only with the feelings of the founders, but also with the best interests of the country.

Mr. CRAWFORD said, that probably no Member had received more communications from his constituents respecting this Bill than he had, and he entered the House this evening feeling a good deal of alarm on the subject, but that alarm had been considerably relieved by the speech of his right hon.

Friend the Vice President of the Council. The City Companies had, perhaps, a greater interest than any other in this measure, for large funds and estates had been placed in the hands of nearly all of them for educational purposes; and he might add that no body of men had of late years been more ready to accommodate themselves to the advanced ideas of the age, and to place these institutions on a sound and useful footing. The Skinners' Company administered one of the largest and most successful grammar schools in the country: the Haberdashers' Company had five of those schools, and the City of London School, established under the authority of an Act of Parliament, passed rather more than thirty years ago, would become subject to the provisions of this Bill. Now there was no single institution of the country which had had such an effect on the education of its neighbourhood as this school; and since 1847 or 1848 no fewer than seventy-four young men brought up there had taken high honours at the Universities, especially at Cambridge, some of them having been Senior Wranglers. The authorities of this and other City schools had been considerably alarmed by this Bill, but he accepted the statement of his right hon. Friend that such schools were rather intended to be held up as models than to be altered and re-administered by the Commissioners. With regard to Clause 25, which proposed to deal with such loans as some of the City Companies were in the habit of advancing to young and deserving men, he was told that these loans had been of inestimable advantage in many cases, and that there were persons in the City who owed their prosperity to the help they had received in this way from their own Companies. He should be sorry, therefore, if this power of lending money were withdrawn, for the Companies were the best judges of the claims of those to whom their bounty could be most beneficial.

MR. GOLDNEY congratulated the right hon. Gentleman the Vice President of the Council on his clear and able statement, but could not help pointing out that, while the speech was in accordance with the recommendations of the Commissioners the Bill was not. The Commissioners said that Parliament should lay down the general principles to be adopted in dealing with these endowments, and that the aid of local authority and local knowledge should be sought. The speech of the right hon. Gentleman adopted that view, and he (Mr. Goldney) contended that the Bill should lay down certain principles upon which the endowments should be dealt with. As the measure was framed the Commissioners, without hearing any one, would exercise absolute power over seven-eighths of the 3,000 Endowed Schools that existed in this country. Where the school income was more than £100 a year the course was plain, but in cases where that income was £100 a year or under, the 37th clause shut out any appeal from the persons affected or any control by Parliament. If the principles laid down by the right hon. Gentleman were good, they should be stated in the Bill itself. The statement of the right hon. Gentleman, with regard to the admission to the Endowed Schools by a species of competitive examination was, in his opinion, very unsatisfactory. Competitive examinations might be all very well for boys of thirteen, fourteen, or fifteen years of age; but he feared that if younger children were tested by it all the stupid ones would be excluded from free admission to the Endowed Schools. The stupid children ought to be educated as well as the clever ones, and some provision ought to be made to secure the benefit to all. This was one of the subjects well worthy the consideration of a Select Committee.

MR. WINGFIELD BAKER said, he was desirous to see an additional principle introduced into the Bill. The right hon. Gentleman the Vice President of the Council had observed that good schools had nothing to fear from the provisions of the Bill; but if that were so it would be desirable to have the matter expressly stated in some provision of the Bill. It had been sought by legislation, especially by that of last year, to establish a particular standard of education, to which it was sought to elevate those schools which had not yet attained to it. There were many schools which were now gradually rising —schools that were almost equal to the excepted schools, both in the character of the education they imparted and the number of scholars they educated; and considering the admirable management under which those schools were placed; he could not see why the Legislature should violently interpose its interference. He would first refer to one of those schools of which he had particular knowledge, as he was one of its governing body—he meant the King's School at Sherborne. That school had attracted the attention of the Commissioners, who stated that the character of the education there was as good as that at any Public School, and they also spoke highly of the school dicipline, arrangements, and nature of the building. The school promised to become one of the great Public Schools of the country. There were many other schools which he might include in the same category, including Uppingham, Bromsgrove, Highgate, Tunbridge, Ipswich, Leeds, and Manchester. The number of boys at Sherborne was 257, whereas the number at Westminster was 148; at the Charterhouse, 138; and at Shrewsbury, 185. It was said that some of these schools were excepted because they were connected with cathedral towns; but was that the case with Eton, with Rugby, or with the Charterhouse? This test therefore was not to be relied upon. Why should schools thus favourably reported on, although of ancient foundation, not be allowed to go on under existing authority? And why should a percentage be exacted on their profits for advice they did not want? While he admitted that in several respects the Bill was an admirable one, he thought that this was a subject which should insure the attention of the right hon. Gentleman, and he (Mr. Wingfield Baker) would ask him to re-consider the subject with a view of placing the class of schools he had mentioned on a footing with those which had been singled out for special favour.

Mr. CHARLEY said, he would be glad if the right hon. Gentleman would explain why it was that, under the 18th clause, it was proposed to abolish in all cases the jurisdiction of the ordinary over schools. There were gentlemen—and he said so without meaning offence—on whom the very name of a Bishop acted as a scarlet rag on a bull, but why should the connection between the ordinary and a Church of England school be severed? Such a provision might be satisfactory to the hon. Member for Sheffield (Mr. Hadfield), who thought that Bishops were only old tutors and schoolmasters, but he (Mr. Charley) held them in sufficient regard to induce him to wish to see the old association maintained. The hon. Member for the University of Cambridge (Mr Beresford Hope) had described this as part of a gigantic scheme for secularizing educational endowments, and other persons entertained the same fear. The 16th clause gave power to appoint persons to introduce schemes, and men of any or no religion might be of the governing body. The Commissioners were to be the nominees of the Liberal Government, and were to constitute a tribunal which was to be a substitute for the Court of Chancery, because it would act more in accordance with the spirit of the age; and might not that require that these schools should not be Church of England schools? Power was given to any governing body to apply the 16th clause to Church of England schools, and a governing body meant a majority of the governing body; which would be entirely under the control of the Commissioners, whom he could only describe as a triumvirate armed with despotic powers to do away with any existing corporation.

Mr. LOCKE said, he was connected with the governing body of Tonbridge School, which had been referred to, and he quite agreed with his hon. Friend (Mr. Wingfield Baker) that where it could be shown that the governing bodies had discharged their duties efficiently they should not be interfered with. Tonbridge School was founded in the reign of Edward VI., and was placed under the Skinners' Company by Sir Andrew Judd, its founder. From that time to this the company had conducted the school to the satisfaction of all those interested in it. The inhabitants of Tonbridge were perfectly satisfied, so was the head master, and both were extremely anxious that the governing body should not be interfered with. The Commissioners, under Clause 10, were empowered to introduce into the governing body of any school a certain number of governors hitherto altogether unconnected with the school, and who could have no personal knowledge of its wants. The governors of this school were extremely jealous as to the exercise of this power; and it would be well to ascertain, in the first instance, whether any charge had been made against the school, before such a power were given to the Commissioners to do away with the present government without any sufficient reason being assigned for such procedure. He thought his right hon. Friend the Vice President of the Council had made a mistake in this instance. He was sure that many other schools were entitled to make the same objection. The right hon. Gentlemen might say that if he made exception in the case of these schools, others would demand to be excepted, but the Commissioners themselves had pointed out that there were nine or ten schools of such a kind that they ought not to be made subject to the provisions of this Bill. With regard to the seven schools introduced into the Act of last Session, the governors were in the first instance to make a scheme for themselves; and the same power, he thought, should be given to Tonbridge and other schools in that category. He believed the governors of all those schools would be most anxious to extend their utility, and were quite prepared to do so. He therefore hoped his right hon. Friend would not be afraid of introducing into the Bill, as exceptions, the ten schools the masters of which had demanded an exemption from its operation. Tonbridge School had nearly 200 boys in attendance; the school, the chapel, and other buildings, were all that could be desired; and very much had been done by the governors within the last four or five years. It was only forty or fifty years since the funds of the school had very much increased; and previous to that time the expenses of the school had been borne by the Company itself. He admitted that there were many cases in which this Bill would be found most useful in its operation; there were no doubt a certain number of monstrosities, as described by his right hon. Friend, extremely startling, and he thanked him for introducing the Bill on that account. It was necessary for the purpose of removing such evils, but it should be confined to those schools which absolutely required amendment, and he thought it would cause misunderstanding and heartburning if the trustees of those schools which had been well managed were dealt with so summarily. Nine schools selected by the Commissioners as schools of a special character should be excepted from the Bill, and he asked that if the Tonbridge School could not be excepted, the governors should at least be allowed to make out their own scheme in the first instance, and to submit it, if necessary, to the Commissioners. He agreed with the opinion that the names of the Commissioners should be inserted in the Bill, because these three men would be able to re-model and deal with all the Endowed Schools just as they chose. That might be all very good, but it might also be very bad, and very great evils might arise from their proceedings. He looked with some dismay upon the enormous expense to which the Public Schools might be put in appealing, first to the Privy Council and then to the House. If the House agreed to give them a scheme, it must be embodied in a Bill which must be referred to a Select Committee, and then counsel must be engaged at an enormous expense to conduct it through the Committee.

MR. WHITBREAD said, that the case as it affected the Grammar School of Bedford was that all the world wanted to put its hands into the pocket of the school, and that when it was prevented it said the governors were bad men and wanted to obstruct education. The Members representing towns containing Endowed Schools did not think it right to stop the progress of the Bill, although it was clear that if they had banded themselves together they would have been able to offer very considerable obstruction to its passing. He would, for his own part, admit that there was a great deal in the measure that would be very beneficial, and that there was much that really needed reform in some of these grammar schools. What the governors of the Bedford School desired was to deal directly with the Vice President of the Council and the Government. His right hon. Friend's views on these topics he knew, but he did not know the views of the Special Commissioners. It was shown clearly that the great want was of schools for persons of small fixed incomes, and especially of cheap boarding-schools for the smaller farmers, and no county had met this want in a more magnificent manner than Bedfordshire. What his constituents objected to was the fear of what a Special Commission might propose. There should be an opportunity to schools that were doing their duty well to prepare a scheme and prove their case, before anything was forced upon them by the Commissioners.

The Bedford Grammar School was free to all the world, and the only limit to the education given was the limit of accommodation in the shape of houses for families in the town. There could, however, be no extension of this accommodation while the present uncertainty prevailed. He hoped his right hon. Friend would assure the House that schools that were doing a great work should, in the first instance, propose their own plan.

Mr. SCOURFIELD said, the remarks of the last two speakers indicated the quarter from which the storm was likely to blow. The problem of combining central superintendence with local activity was one of the most difficult to realize, and it would be well not to be too confident that if these large powers were given to the Commissioners, they would be exercised to the satisfaction of those who would be subjected to the inspection. What he objected to was, that there was no discrimination with regard to these schools. Good and bad were alike to be inspected, and what was more, they would have to pay for it. He trusted that the scheme of central supervision would be carefully investigated. He concurred in what had been said by the hon. Member for Chippenham (Mr. Goldney), as to a strictly competitive examination. Although he approved of the system of competitive examination, he thought it was highly necessary that the attention of the schoolmaster should be given to those boys who, wanting the abilities of others, evinced a praiseworthy desire to advance in their studies.

Mr. LEA said, as a new Member, he could not help expressing his feeling of anxiety that the Bill should be referred to a Select Committee. He had always had an idea that referring a Bill to one of those Committees was very apt to shelve it altogether, or to postpone it to another Session. He should be very sorry to see such a course pursued in this case. When, the other night, he heard the right hon. Baronet the Member for Droitwich (Sir John Pakington) express his general approval of the measure, he (Mr. Lea) was very glad to hear that there would be no organized party opposition. One or two hon. Members to-night had called the right hon. Gentleman's attention to the manner in which the Bill affected schools of a higher class. He should like to do so to schools of a lower grade. Those schools mostly belonged to Nonconformist bodies, and were supported chiefly by voluntary contributions and subscriptions, by the small fees — say, 2*d.* or 3*d.* a week — of the children, and also by small endowments, which brought them within the scope of the Bill.—[" No!"]—He believed he was right in the statement he made. He had carefully studied the Bill, and he found no clause exempting those schools when they were in receipt of no Government grant. Of their number he knew nothing; but he did know that such schools did exist, and the clause whereby a fine of 5 per cent was laid on the fees of the children would be felt a very heavy burden, and would have either to be deducted from the income of the schoolmaster or schoolmistress, or to come from the small funds of the school. Those who had had the management of such schools knew well the difficulty that existed in keeping a school in a proper state of efficiency. If enough money could not be raised under the 25th section, he thought the expenses of the Educational Council should come out of the Consolidated Fund. Another point that he wished to allude to was the fact that the Educational Council would have the power of fixing its own fees. Without fearing that they would do so in an improper way, he thought it would be better if that were left to some other body—say, if they liked, the Committee of Council on Education. Then, to-night, he had heard several hon. Members refer with some alarm to the powers which would be given by the Bill. He was aware that the temporary Commissioners would be possessed with it; but he thought the powers of the Educational Council were rather too restricted. It seemed to him that the Government would constantly have to appoint temporary Commissioners, or that schemes for the altering and amendment of those schools would sometimes have to wait a considerable time; and he was rather in favour of giving that power to the Educational Council. He trusted he might be excused referring to those few points; but he was very anxious the Bill should pass into law this Session, with its main provisions untouched; and it would, he felt confident, meet with public approval. The great capability which the right hon. Gentleman had exhibited in bringing in the Bill proved that he was perfectly able to deal with the great question of a national measure, of which he (Mr. Lea) considered that a first instalment; and the country would not excuse any omission on the right hon. Gentleman's part, if he failed in doing so.

MR. SAMUELSON referred in terms of commendation to the extraordinary labour and care which, during a period of four years, had been bestowed upon the subject of Endowed Schools by a Commission of unpaid gentlemen. It must be a great gratification to them now to find that their efforts had not been without result. He was of opinion that his right hon. Friend had done right in inserting in the Bill the Conscience Clause. He rejoiced at the removal of the monopoly with regard to the head mastership of Endowed Schools, all who heard or read that description, and he felt convinced that the Universities and other public institutions would furnish an ample supply of able masters as soon as it was known that it made no difference whether they were clergymen or laymen. He should have been pleased if a hope had been held out in the Bill that ultimately local Boards would have been established, not because he feared the bugbear of centralization, but because no better influence could be exerted on the minds of parents than by giving them a share in the responsibilities of managing such schools. It would be necessary to have some authority possessed of a wider range than the mere locality in which the school was situated, and therefore he should be glad if, during the passing of the Bill through the Select Committee, some clauses should be added enabling the Government or the Educational Council, either at once or at a fitting time, to establish provincial Boards such as were suggested by the Commission. Several hon. Members had protested against their schools being brought under this Bill, but he saw nothing in the measure to prevent these schools from framing schemes for the sanction of the Commissioners. It was an absurdly limited time which his right hon. Friend proposed to give to the Commission which he was about to appoint under the Bill. The examination into the state of these schools had been a labour of four years to most able men, and now it was proposed that, at the most in four years, schemes should be drawn up for some 3,000 schools, that they should be revised by that House, and undergo various operations, and then the Commission was to cease. It was impossible, no matter what the capacity of the gentlemen employed in the task might be, to get through such a vast amount of work well in so short a time. He highly approved of the introduction of examination, but he should greatly regret to see the establishment, in any great numbers, of special scientific schools. They had not answered in France, Germany, or Switzerland, or anywhere they had been tried. Wherever literary had been separated from scientific instruction the scientific instruction as well as the literary had been a failure. He, therefore, entered his protest against training any young man simply in science without a literary foundation for his education. There was one thing which he regretted, and that was that this measure should have preceded instead of succeeding a measure for national education, because the difficulty of grading the schools was thereby increased. They would neglect their duty if they were to allow elementary education to remain where it was; but as they had not as yet framed a scheme of elementary education, the only thing that could now be done would be to reserve such powers in this Bill as would bring these schools into harmony with a more extensive and well-defined system of national education.

MR. WALTER said, he believed that his hon. Friend the Member for Banbury (Mr. Samuelson) need not be much alarmed at the prospect of the limited duration which he thought the Bill prescribed for the action of the Commissioners under it, because not only was there provision in one clause for the continuance of their powers in case Parliament should so think fit, but he might remind the House that Commissioners had as many lives as cats, and there was very little fear, in his opinion, that that term of three years assigned in the Act would be anything but the first of the nine lives which that Commission was probably destined to enjoy. If he were disposed to criticize any limit assigned in the Bill to the period which must elapse between any of the steps in the progress of that scheme, it was the limit of forty days between the presentation of any scheme to that House and the period in which an address condemning it must be presented to Her Majesty. He did not know what particular reason could be assigned for restricting that interval to forty days, unless it were that that was the period of repentance given to Nineveh when its downfall was threatened. But while he concurred most sincerely in all that had been said in commendation both of the excellent speech of his right hon. Friend the Vice President of the Committee of Council on Education, and also in the urgent necessity of a stringent measure for reforming abuses in these schools, he could not help regretting that fair consideration had not been shown to those schools which had been referred to by his hon. Friend the Member for Southwark (Mr. Locke) and other Gentlemen who had preceded him—namely, Tonbridge, Repton, Uppingham, Sherborne, and others, which, to say the least, were on a par with some of our best Public Schools which were included in the Act of last year. And although it might be very difficult to draw an exact line between those schools and others which stood in a somewhat similar category, yet it would be a proper subject for the Select Committee to consider whether some ten or more of those schools might not be comprised within the scope of the excepted schools, and, so far, might save the Commissioners the trouble of inquiring into them. Because, although it might be said that if they drew a line between those schools and others which came under the operation of the Bill, inasmuch as the tendency and object of that measure was to raise up the other schools to their level, that line would cease to exist, yet they must recollect that there was a class of schools excepted from the Bill of a similar character—namely, those established within the last thirty years. Wellington College, with which he happened to be connected, would be in a singular position. It was neither included in the Act of last year relating to the seven great Public Schools, nor placed under the operation of the present Bill. [Mr. W. E. FORSTER: It comes under the second part of the Bill.] Well, he did not know whether the authorities of that school would be particularly pleased at that. He thought they might just as well be excepted from the operation of the Bill under any circumstances. As his right hon. Friend had corrected him on that point, he would ask his attention, for one moment, while he quoted a passage showing what were the views of the head master of that school with regard to the operation of the second part of that Bill. He had been in communication with the head master of Wellington College, as well as with the heads of several other great Public Schools, in reference to the second part of that measure; and he could tell his right hon. Friend that a very strong objection was entertained by some of the head masters of the most distinguished schools against the plan for limiting their choice of assistants to certificated masters. It struck him on reading the Report that the minds of the Commissioners had been rather influenced by the opinions which they had gathered from an examination of the Prussian system. The idea had got abroad that in Prussia, in consequence of the law which prevented any but certificated teachers from teaching either in public or in private schools, they obtained the most perfect machinery for teaching which the world had ever seen; and he had no doubt that that impression existed in the minds of the gentlemen who drew up that Report, and that they would, if they could, enforce in this country a system very similar to that of Prussia. Now, it was worth while for the House to hear what the head master of Wellington College had written to him the other day as to what he had himself witnessed in Prussia under the operation of that system. It was a very short passage, and well deserved the attention of hon. Members. Dr. Benson said—

> "I once saw a master pass his examination for a teaching certificate at Berlin. He had to attend at the principal and most advanced modern gymnasium and take a turn with the first class. The hour and the boys were sacrificed to him. He did it very badly indeed; and I said that I thought so to the professor who presided. He said, 'Oh, yes, of course he did it badly; but we must give him a first-class certificate. He is a very distinguished man, and he will make a good teacher in time, no doubt.' He said it would be absurd to refuse him admittance to his vocation; that the system was necessarily formal, and would be better dispensed with."

That was the evidence furnished to him by the head master of Wellington College—which, he ventured to say was at this moment second to none in this country—as to the absolutely unsatisfactory test which that system of examination for teachers gave. Dr. Benson's own account of how to choose a good head master was as follows. He said—

> "The best description of how a master should handle his form, and deal with little difficulties, which I ever heard, used to be given to me by one of the weakest masters I ever knew. He would have been perfect on paper, or in ticketing a form, with examiners standing by, in whose presence the boys would be perfect in behaviour; but leave him alone, and there would be a riot. On the other hand, one of the best, clearest, most definite, most popular masters I knew was one of whom, even at the end of two terms, I was in despair."

Well, with evidence of that kind, which he had no doubt could be multiplied indefinitely, he thought it was unreasonable to attempt to force upon the great public schools a class of masters the only test of whose fitness was an examination which they were to undergo at the hands of that Educational Council which could examine them only as to their knowledge, and could not possibly have any means of testing their ability for teaching. That, as everybody knew, could be ascertained only by experience. Dr. Benson said that any good tutor of a College would give a pretty correct idea of the fitness or unfitness of a teacher, that there was no other sufficient test than experience, and that, probably, a period of not less than two years would afford a satisfactory proof of whether a master was fit for his work or not. It was, therefore, to be hoped that this subject would be gone fully into in the Select Commitee, and he ventured to think that this part of the measure would probably undergo revision.

MR. STAVELEY HILL said, he had no doubt that when the Bill went before the Select Committee it would receive, as it required, very careful consideration. The 61st clause provided that the examination of the different schools should be paid for in proportion to the fees paid by the scholars. Under that provision they would have the school of Birmingham, for example, paying nearly £500 per annum towards the expenses of the examination—a sum which would pay for the education of between fifty and fifty-five children under the endowment at Birmingham. Why that amount should go for the examination of a school which was confessedly at the head almost of all the Endowed Schools in England he failed to see. He took the Birmingham school as a fair specimen of one class of schools with which the Bill proposed to deal. It was not many years since that school was in a very decayed state. In 1828 it had only 115 scholars, and the building was in a ruinous condition. Now, however, there were 1,767 children educated on that foundation, and the present building was well known as one of the most magnificent character, and which gained for its architect the opportunity of erecting the building in which they now sat. Having himself been educated in that school he took a particular interest in it. Its endowments were now large, owing to the increased value of the property. They were £10,000 a year, and if the views of the present head master were realized they might soon be augmented to £20,000. And yet that institution had grown in usefulness without special legislation. He was a scholar in it a quarter of a century ago under the present Bishop of Manchester, then its head master; there were brought up there boys of every religious denomination, Christian or Jew, all being educated together, and without the slightest feeling of distinction between boys of different positions in life. Some of the Birmingham boys of that period went to Cambridge and took the highest degrees there, some of those who did so being the sons of small shopkeepers or of men scarcely above the artisan class. The boys were educated without any regard to their different religions, and he never heard any objection on that ground, although he had been since informed that one or two Roman Catholics had objected to certain points of the religious teaching. Such, then, was the condition to which the school had been brought without special legislation of any kind. Now, what was the present state of the law with regard to charitable trusts? The right hon. Gentleman had, in his opinion, somewhat underrated the powers conferred by the Charitable Trusts Act with respect to schemes for schools. The Charitable Trusts Act of 1853, as amended by that of 1855, gave full powers for altering the governing bodies and amending the schemes, with the proviso that the new schemes should be laid upon the Table of the House, and be afterwards incorporated in a short Act of Parliament. Under the provisions of the Statutes he had just referred to, a special Commissioner, called an Inspector, might be sent down to report into the state of a school and its governing body, and then to arrange an amended scheme for its management. That scheme, having been laid on the table of the House, was, if no objection were brought forward, to be referred at once to a Select Committee —a body quite as able to deal with a matter of this sort as any three Commissioners, however eminent, who might be selected by the right hon. Gentleman. Well, if a scheme could be passed in this manner, and if a fresh governing body could be thus called into existence, where was the necessity of putting the schools to the expense which they would have to incur if the present measure became law? Reverting to the high position of the school at Birmingham, he said that as the right hon. Gentleman had read a letter from the Rev. Charles Evans, the head master, he might, perhaps, ask permission to read one addressed by the same reverend gentleman to himself, and dated the 22nd of February, after the present measure had been brought forward. It was in the following terms:—

> "I do not at present see many objections to Mr. Forster's Endowed Schools Bill; if carried, everything will, of course, depend on the character of the Commissioners whom they may appoint. They ought to be men, at any rate, who will take an unprejudiced view of the recommendations of the late Schools Inquiry Commission, the adoption of whose recommendations as regards this school in particular would, I believe, be disastrous to the cause of education in Birmingham. The main features of the scheme recommended by that Commission for the whole country have long been anticipated here. We have, as you know, schools of three grades—1. Elementary, 2. English, 3. Classical—a perfect system of affiliation, with unrestricted means of transfer from one school to the other, so that a ready opening is offered to merit wheresoever found. The elementary schools are open to the first applicant, who is invariably admitted in his turn as vacancies occur, while admission to the New-street school is entirely competitive, the governors having been induced by me to abandon entirely the nomination system; and now I am quite sure that if let alone, and with power to impose a fee on all beyond a certain number, say 500 here and 1,000 in the elementary schools, I could make this institution in a few years educate three-fourths of the children of Birmingham. The free admissions would soon grow into distinctions and school scholarships, stimulating and rewarding merit and industry throughout 500,000 people."

And now one word with regard to another part of this Bill, whereby it was sought to place all the power in the hands of three Commissioners. The right hon. Gentleman had urged, indeed, that appeals would be allowed, but what was the nature of those appeals? In the first place, an appeal lay from the decision of the Commissioners to the Committee of Council on Education. But surely schools would never take the trouble of appealing to them from the judgment of their own Commissioners? It had been stated by the right hon. Gentleman that there was an appeal to the Privy Council. Passing by, however, as hardly worthy of consideration two cases in which appeals would lie—namely, when vested interests were interfered with, and when the scheme was not made in conformity with the Act—passing by those cases, he was unable to find that any power was given of appealing to Her Majesty in Council. It was only given in cases specified by the Act, but no cases were specified. They might be well alarmed, therefore, when they saw that all the power was to be vested in three Commissioners, from whose decision there was practically no appeal. Those Commissioners might destroy the governing body of a school, overrule every statute under which the governing body acted, while the scheme put forward by the Commissioners would become the sole law for the management of the school. Yet, all the instructions given by the Bill to the Commissioners were contained between Clauses 20 and 24, one of which, as might be expected, abolished the Bishop. The only other point to which he would draw the attention of the House was the way in which charities other than Endowed Schools were dealt with under Clause 25. That clause empowered the Commissioners to deal with those institutions which were classed as "educational endowments." Now, although many persons thought charities of this kind tended to encourage pauperism, yet he must instance, with regard to the city of Coventry, many in that now suffering community would have been long ago in a state of starvation but for the old seniority funds which were doled out carefully to the deserving freemen. He alluded to this circumstance because there was no appeal in cases of charities under £100 a year, and the Commissioners having their eyes mainly directed to education would have every desire to get hold of all the money they could, and would consequently feel inclined to say that these were the very funds they wanted to carry out the objects they had in view.

MR. BRUCE said, that his right hon. Friend and Colleague the Vice President of the Council had in his able speech replied to many of the objections which had been raised in the country since the introduction of the Bill, and if his right hon. Friend had heard the objections raised since he moved the second reading he would no doubt have been able to reply satisfactorily to them also. The strongest point which had been urged against the Bill up to the present time was that respecting the desirability of excluding from its operation certain schools of undoubted character and excellence, such as Sherborne, Repton, Bedford, and Tonbridge. But if these exceptions were admitted, no doubt in a short time a large batch of other excellent schools would be recommended for similar treatment. He sincerely hoped the Select Committee would not agree to proposals of that kind, and, indeed, he thought it would be even better to include in the Bill the seven Public Schools which were now exempted from its operation. It would be impossible to provide for the proper gradation of schools unless all were at once under the view of the Commissioners, and the exclusion of any schools besides those included in the Act passed last year would fatally infringe the principle of the Bill. An objection had been raised with respect to the certificates of the masters, and it had been assumed that every master who presented himself must be examined by the examiners appointed by the Educational Council; but the hon. Gentleman who had raised that objection could hardly have read the Bill, for it was provided by the 2nd section of the 58th clause that not only were certificates of fitness to be granted for examination by those examiners, but in respect of any examination which the Council might deem sufficient for the purpose. If necessary, provision might be made in the Bill itself to meet the objection which had been made with respect to those who had passed the University with honours, especially if they happened to have taken the higher honours. As to the Commissioners they were appointed for a limited time, the object of the Bill being that there should be a body who could at once apply themselves to the task of giving effect to the recommendations of the Commission, and having done that it would be for Parliament to consider what would be the future steps to be taken with the view of dealing with the supervision over the schools. The present measure was not recommended to Parliament as a final Act. The work was only initiatory, and how it was to be continued hereafter it would be for the wisdom of the Legislature to determine. His right hon. Friend the Member for the University of Oxford (Mr. Gathorne Hardy) had found fault with part of the application of the funds. The Bill, he said, took away those doles which were frequently applied to the benefit of the poor in order to give them to the middle classes. Such, however was not the object of the measure. One of its immediate objects was that the poor should gain advantages from those doles, though not precisely, perhaps, the advantages for which his right hon. Friend (Mr. Gathorne Hardy) contended, and one of its great recommendations, in his opinion, would be found in the fact that, in the words of the Manchester school deed, it would afford the benefit of education to boys of the poorest and humblest class, who, notwithstanding their poverty, were "of pregnant wit." Again, it was urged that the Commissioners were not directly responsible to Parliament; but it should be borne in mind that those Commissioners themselves were but the creatures of the Privy Council, and that the Privy Council was responsible to Parliament. Indeed, that was one of the reasons why the Commissioners were not named in the Bill, as had been done on a previous occasion when unpaid Commissioners had been appointed. As matters stood in the present case, the whole responsibility of the conduct of the measure rested with the Government, and with them rested also the responsibility of naming the Commissioners. As to the operation of those Commissioners on endowments under £100 a year, that was a matter of detail. The Charity Commissioners now had the power of absolutely framing schemes wherever the amount of the endowment with which they had to deal did not exceed £50 a year, and it remained to be seen whether that principle might not very well be extended to endowments of £100 a year. His hon. Friend the Member for Pembrokeshire (Mr. Scourfield) was opposed to having the cost of inspection cast upon the schools themselves, and if his hon. Friend meant by inspection examination, no doubt he was right in saying that they would have to bear the cost. He should, however, remark that they would not have to pay the cost of the original inspection, and it was only fair they should defray the charge of an examination which was for their benefit. The hon. Gentleman who had spoken last (Mr. Staveley Hill) seemed to think there would be no great advantage in appointing Commissioners under the Bill, and that the Charity Commissioners might carry out its provisions. The fact, however, was that the power of the Charity Commissioners to deal with endowments was very limited, while, in the next place, they would only be enabled to deal with the schools in reference to the schools themselves, and not with the question whether a school good in itself might be exactly the sort of school adapted to the wants of a district. There was no doubt that the powers proposed to be given to the Commissioners were arbitrary, and it was necessary that it should be so. But these Commissioners were, as he had said, but the creatures of the Government of the day, who would be responsible to Parliament for their proceedings, and that, he thought, would be sufficient to prevent any abuse of their powers. He did not rise to discuss the principle of the Bill, which had been admitted to be sound on all sides, and he would only add that he could state, on the authority of his right hon. Friend the Vice President of the Committee of Council, that the deputation of leading schoolmasters of the country, who would actually have to conduct the schools in question, had urged no objection against the principle of the measure. He should have been content to say nothing on this occasion, but he had wished to remove some of the misapprehensions which were current both in and out of the House.

MR. ALDERMAN LAWRENCE thanked the right hon. Gentleman the Vice President of the Council for the very lucid statement he had made, and for his ample admission that the Livery Companies of the City of London had no grounds for fearing that their large educational establishments, which they had conducted so successfully for centuries, were likely by this measure to be taken out of their control. As the right hon. Gentleman had decided to send the measure to a Select Committee, in accordance with the prayer of the Petitions that were presented that evening, he begged to thank the Government for agreeing to this. It was not his intention now to discuss the details of the Bill, which would be more properly considered by the Committee. He would merely say that he hoped the clause which swept into its net the various small and even large charities, of which time might have altered the use, would be carefully examined. The lending powers, for example, of the City Companies, by which they might advance sums varying from £100 to £500 for seven years without interest to young men who could give good security, ought to be respected, for there were many persons now of high standing in the City who owed their present position to the benefit of those trusts.

MR. M'LAREN said, he wished to suggest a slight alteration of the Bill. It was complained that certain schools had not been excluded from the provisions of the measure, but his complaint was that all the schools of Scotland had been so excluded. An hon. and learned Gentleman opposite had referred to the Endowed School of Birmingham as a magnificent foundation, because it had an income of £12,000 a year, with 1,000 scholars. Now, one of the Endowed Schools in the City of Edinburgh had an income of £16,000 a year, and educated 3,300 out-pupils, besides those taught within its walls. There were other two Edinburgh foundations which had from £8,000 to £10,000 a year, and several others which had £2,000, £3,000, and £4,000 a year. On what principle these had been excluded from the Bill he could not understand. The fact was that these Scotch endowments required more to be looked after than those of England. The Charitable Trusts Act which had been referred to by the hon. Gentleman opposite did not apply to Scotland; the Court of Chancery had not the power to alter any endowment in Scotland, and there was no court in Scotland which had that power. When Scotland contributed £9,000,000 out of the £72,000,000 of Imperial revenue, it was only just that its interests should not be overlooked. He was aware that a Scotch Bill was talked of, but a great many Bills were talked of for Scotland which never passed. He wanted to see the clause struck out which said that this Bill should not apply to Scotland, and he expected that the greatest good would result from the change. Some hon. Gentlemen seemed well satisfied with what to others appeared a very low scale of educational results. The hon. Member for Bedford (Mr. Whitbread) had referred to that town and county as if it were a perfect paradise educationally, but he (Mr. M'Laren) happened to have in his hand a Return presented to Parliament for another purpose, which showed that Bedfordshire was amongst the worst educated districts in England. Even if the people of Bedfordshire were well contented with their present state, that was no reason why the inhabitants of other districts should not desire to raise them up to their own level. He found that out of every 100 women married in Bedfordshire forty-four could not sign their names, and out of every 100 men thirty-four could not do so, whilst in Northumberland, Cumberland, and the northern and eastern parts of Yorkshire persons signing with marks were not one-half or one-third so numerous. He trusted, therefore, that the right hon. Gentleman the Vice President of the Committee of Council would not be misled by statements made about the flourishing condition of this or that school, although much lauded by persons, who really knew little about their results. He appealed to the educational statistics of the country, and thought it would be difficult to find schools in Bedfordshire, or anywhere else, which would not be greatly benefited by being subjected to the operation of this Bill.

SIR STAFFORD NORTHCOTE said, he heartily concurred with his right hon. Friend in hoping that this very important measure would be treated upon its own merits, and would not be made a party measure. But, this being so, he hoped the Government would carefully consider that feature in the Bill which provided that the Commission should be identified with the Government of the day. Now, he could not help feeling that this was a mistake. Without pledging himself to the course he should take after hearing the matter thoroughly argued out, he believed that the hands of the Commission would be strengthened by naming the members of it in the Act, and by giving them something of a more permanent position than they would otherwise enjoy. These gentlemen would have no easy task before them. It was all very well to talk of the principles upon which endowments should be dealt with, but when you come face to face with local interests and had to grapple with bodies of trustees and others, it would be found that the persons who had to deal with these interests had a difficult task before them, and should, therefore, be a really strong body. He did not object to their being strong; in his opinion they would not be strong enough owing to their connection with the Government of the day. This connection would be a weakness to the Commission and possibly also to the Government. He regretted that it had not been found possible to give effect to the idea that local bodies should be intrusted with some of the delicate functions which would have to be discharged in re-organizing these endowments. Local bodies, having local knowledge, would be enabled to deal better with many of these questions than a central body; but if it was thought that a central and not a local authority should act, it ought to be appointed by Parliament, and would be all the stronger if it were independent of the Government of the day. He hoped that this subject would be fairly discussed in the Select Committee and that many of the objections to the details of the Bill would there be obviated, so as to accomplish what he believed to be a most essential reform.

MR. ACLAND said, that, as a Member of the Schools Inquiry Commission, he felt grateful to the Government for embodying in a form so suitable for legislation the general scope of the proposals of that Commission. He was still of opinion that ultimately some local and provincial machinery would be desirable for the permanent working out of our secondary education, and that conclusion was supported by the example of some of the most cultivated countries on the Continent. It was gratifying to him to find that the religious objections which had been advanced by one hon. Gentleman had not been followed up by any other hon. Member, and he thought that the House might congratulate itself also that the Bill was not likely to be stopped by a combination of local influence. With regard to one point which had been mentioned during the debate, he thought it might be shown in nearly every case that masters were considerably embarrassed by self-elected bodies of trustees, and that administration by irresponsible trustees was not the best arrangement which could be made for the government of a school.

Mr. RAIKES said, he had been really unable to discover anything that could be called a principle in this measure. Both sides of the House might claim a wish to pass some measure upon the subject, and the Bill merely embodied the feeling that there should be a reform and re-organization of Endowed Schools. The whole of the working of the Bill was to be left to a Commission, consisting of three persons not named, who were to exercise greater functions than Parliament itself ever exercised in former times; who were responsible, it was true, to the Government of the day, but who were not to be directly responsible to Parliament. He could not see how the system of the Educational Council and of the examiners could be carried out without superseding in a great degree the existing system of middle-class examinations established by Oxford and Cambridge Universities.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on April 1, Committee *nominated* as follows:—Mr. William Edward Forster, Sir John Coleridge, Mr. Walpole, Mr. Acland, Mr. Mowbray, Mr. James Howard, Mr. Adderley, Mr. Buxton, Sir John Pakington, Mr. Melly, Sir Stafford Northcote, Mr. Walter, Sir John Hay, Mr. Parker, Mr. George Gregory, Mr. Winterbotham, Mr. John Talbot, Mr. Jacob Bright, Mr. Beresford Hope, Mr. Dillwyn, and Mr. Goldney:—Five to be the quorum.

UNIVERSITY TESTS BILL—[Bill 15.]

(*Mr. Solicitor General, Mr. Bouverie, Mr. Grant Duff.*)

SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [10th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Mowbray.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Mr. Acland

Sir ROUNDELL PALMER: I wish, Sir, to state to the House the reasons why, in former years, I have not thought it any part of my duty to vote against the second reading of Bills of the same character with that now before the House, and why on this occasion it is not in my power to support the Amendment of my right hon. and learned Friend the Member for the University of Oxford (Mr. Mowbray). I confess that, looking back to the year 1854, I was one of those who at that time strenuously resisted the first proposal made to remove the obstacles which then existed to the admission of Dissenters to education in the University of Oxford. I did that, not by any means from a feeling of hostility to Dissenters — far from it, or from any want of good-will to mix with them in education; and perhaps I may be excused for repeating the words I then used on that subject. I said that I should regard it in the light of a positive advantage to have intercourse with the Dissenters facilitated in every way which did not interfere injuriously with the functions of the Church; and I opposed that measure because I foresaw that so great a change in the system of the University would necessarily lead to a very great disturbance of those relations between the University and the Church which I felt to be useful to the Church and to the country. And I foresaw also—what experience has verified—that the movement then made would not and could not be final; that you could not possibly stop at the point then indicated, but that if you admitted Dissenters to education on a footing with other young men in the Universities, in the course of time it would be utterly impossible not to extend to those so educated equal advantages with others. I own I did participate in the fears then entertained, and which are still entertained by hon. Friends of mine opposite —that the effect of that change and its consequences possibly, even probably, might be the subversion of the influence and authority of religion in the University — and feeling then, as I feel now, that the subversion of the influence and authority of religion in the University would be a calamity too great to be described, that it would destroy the most essential part of the value of University education, I was unwilling to be a party to what I thought the first step which might possibly lead to such a result. Sir, if I was too much an alarmist at that time I hope I may be excused in the judgment of the House on account of the magnitude and immense importance of the interests which seemed to be involved. I do not retract or in the slightest degree recede from the principle on which I then stood—that, above all things, the influence and authority of religion in the education given at the Universities of Oxford and Cambridge ought to be retained; and if I were in my mind persuaded that it could not be maintained without rejecting this or any similar measure, unwillingly (as I should oppose myself to that which, besides being apparently the desire of the House and the country, my own understanding compels me to regard as the inevitable corollary and sequel of what has been done, yet I would oppose it if I continued to think it was impossible that the influence and authority of religion in the Universities could be maintained without resisting such measures. But I confess I am no longer of that opinion. Now, let me ask the House to recollect the course which this question has taken since that time. Even at that time, in 1854, who was it that was mainly instrumental in carrying that first step which most of us then perceived to involve the consequences now resulting from it? It was the noble Lord the Member for King's Lynn (Lord Stanley). The Government of that day were not willingly led to introduce that subject among the other reforms they were then engaged in promoting. They desired to leave it to the spontaneous action and judgment, if possible, of the University. The Motion for the introduction of Mr. Heywood's clause into the Bill was opposed by the Government; but the noble Lord came forward and said—"Don't let the House be alarmed; don't let the House trust to future proceedings by the University in a matter in which it sees its own way clearly." The noble Lord saw his way clearly; he had no hesitation or doubt in the matter; he had no fear of the consequences; and I well remember he added—"Don't be alarmed about the House of Lords; don't be too ready to assume that you will meet with any difficulty in the House of Lords if the clause passes this House." And he had extremely good reasons for saying so, for the Chancellor of the University of Oxford sat in that House, and had a leading influence in it. No one could better know the mind of the Chancellor of the University of Oxford than the noble Lord; and he had, as far back as 1832, been among the most eager, at that time, to contend for the admission of Dissenters to the Universities. That credit belonged to the noble Lord; it was owing as much to him as to any man that the first step was taken at that time, and in that particular manner. What followed? The Oxford Act of 1854 limited the abolition of tests to those previously exacted from undergraduates on their matriculation, and from Bachelors of Arts upon their admission to that degree. Two years afterwards an Act was passed for Cambridge; and then, as Cambridge had always been in advance of Oxford with regard to the admission of Dissenters as undergraduates, so now, in the new legislation, it was in advance again; the Oxford legislation had limited the privilege conceded to the B.A. degree, but the Cambridge carried it forward to the M.A. degree. What has followed since? How have those Acts worked? There has been, if report speaks true, a considerable unsettlement and disturbance of opinion in both Universities; but I will not undertake to say whether this has been in any degree due to the operation of these measures. For my own part, I think it is due to other causes—causes which have operated throughout the Church and throughout the country. I think those who took an interest in the measure may, perhaps, rather see reason to regret that so few of our Nonconformist brethren have taken advantage of it, and I have not heard from any good authority that where they have done so any evil has resulted. But this has, at all events, followed as the consequence of what has been done, that both from within and without the Universities a powerful, constant, and increasing demand has arisen, for the further prosecution of those ulterior changes which were the logical sequence of the change then made; and from both Universities opinions have been expressed by a large number of men of position, character, and attainments, Heads of Houses, tutors of Colleges, and others, in such a manner as to make it manifestly impossible, in the judgment of any man taking a practical view of the subject, that this question can remain in the position in which it now stands. And that opinion, coming from both Universities with a very great degree of force and power, has been re-echoed from without with a greater degree of force and power; the Nonconformist body, having already got an established footing within them, is determined that that footing shall be extended, as far as the logical principle involved in what has already been done may require. Now, that is the state of things with which we have to deal; and we must consider, not whether we can altogether resist this demand, but in what manner we ought to deal with it—whether we can deal with it for the common advantage of the Universities and the country; and whether, in fact, the principle of that demand does require, that there should be a surrender of the influence and authority of religious teaching within the University. No doubt, a great deal of alarm has been expressed with regard to the Bill of my hon. and learned Friend (Sir John Coleridge). Last year, we know, from both Universities, addresses, numerously signed by persons of high character and in every way entitled to the greatest respect, were presented to the late Archbishop of Canterbury—himself a man of whom no one can speak without the desire to give expression to the feelings, universally entertained, of deep respect for his character, and sincere regret for the loss the nation has sustained by his decease. These addresses represented, in effect, that the Bill of the Solicitor General really aimed at the total destruction of the principle of religious education in the University—or that, at all events, that was its necessary, and not remote, tendency; and the late Archbishop of Canterbury did appear, in some degree, by his answers to these addresses, to have participated in that alarm. Now, the first question is, whether there is reason to believe that those who bring forward a measure which creates alarm do intend those effects and consequences, which it is apprehended may possibly follow from it. If they do not intend them, then, at all events, it may be expected, that if it can be pointed out to them that the measure as it stands may give some reasonable ground for alarm, they will be found willing to do all that is possible to alleviate those apprehensions, and give proof of their sincerity by agreeing to such modifications, not affecting the substance of the measure, as may tend to show that its principle is not inconsistent with that which they declare their intention to maintain. Accordingly, there came forward some of the most distinguished of those who, out of this House, have advocated this measure, and they disavowed, with undoubted sincerity, the purpose and intention which, if not imputed to them, were supposed to be involved in the measure itself. I will mention two names, one that of a gentleman, whom I am proud to call my relative, and whom I regret not to see now a Member of this House—Mr. Charles Roundell. He addressed a letter to the newspapers, in which he referred to the fact that the late Archbishop of Canterbury had thought it right to express his belief that to entrust University education to men who had no religious creed would inevitably tend to sap the foundations of Christianity; thereby seeming to imply that this would be one of the results of passing the Tests Bill. At this construction of the Bill he (Mr. Roundell) professed his astonishment; and he met it by saying that in every part of the Bill he found the most careful reservation and protection, in the most explicit language, of the religious teaching of the University? [“Oh!”] Hon. Gentlemen may think that the provisions of the Bill are inadequate for that purpose. For my own part, I should like to see that purpose stamped upon the Bill in a much more unequivocal manner; and for that purpose I shall propose certain Amendments, which, without altering the practical part of the Bill, will show that the sense of the Legislature is consistent with the declaration so made, that the purpose and intention with which it is brought forward is not to interfere with the principle of religious education in the University. Another name I will mention, that of a gentleman whose acquaintance I do not possess, but whom I have heard spoken of in the highest terms—Sir George Young. He also addressed to the newspapers certain letters, which he has since published in a pamphlet, and he also disclaimed any idea or intention of interfering with the principle of religious education and instruction in the University. I feel bound to give credit to such men for sincerity; and from those who agree with them I feel I am entitled to expect concurrence in any reasonable proposition to stamp the evidence of their purpose and intention upon the face of this Bill. If I could, for a moment, be persuaded that it was the purpose and intention of a majority of this House to subvert the authority and influence of religion in the Universities of Oxford or Cambridge; or if I thought the tendency of this Bill must necessarily be to impair its efficiency, I would not only not vote for the Amendment, but no majority whatever would persuade me to yield assent to such principles. I look upon it as a matter of the utmost importance that education should, as far as possible, be everywhere associated with religion, and above all, in those ancient places of learning in which education has always been associated with religion—where education has been stamped with a religious character from the earliest infancy of these institutions—which have always been the nurseries and seminaries of the clergy of our Church; and I think it would be an act of infatuation if this Legislature should ever desire to secularize those institutions and to deprive them of that which, in the eyes of all who place religion above all other kinds of knowledge, must be their greatest excellence. I believe that in saying this I do not express only the sentiments of the Church of England. Notwithstanding the unhappy differences which prevail on matters of doctrine, I believe that these sentiments are not peculiar to the Church of England, but are shared in common with them by the members of the Roman Catholic Church, and by the members of all Nonconformist bodies; all of which, differing as they do as to particular tenets, are as sincere and earnest in their religious belief as we are, and who, as little as ourselves, desire that their children should be sent for their education to any place, the moral atmosphere of which might be hostile to religious belief. As long as we have an Established Church—which I hope may be for ever—and even if, contrary to our hope and expectation, we should ever cease to have one, it will still be of the very highest value and importance that the clergy of the Church, which is now the Established Church—and which will at all times be the Church of a very great proportion of the people of this country—should find in the University such a system of education as may fit them for the discharge of their spiritual duties. What greater calamity could happen than that where you have an Established Church your clergy should not have a liberal education, and should not mix with the laity; but if you secularize the education of the Universities, and allow Christian influences no longer to speak with authority from places so long devoted to such instruction, how long would it be possible to keep the Universities as places for the education of the clergy? But this is taking too narrow a view of the question. This is a matter not affecting the clergy alone, but the laity. It affects all the people; for ninety-nine out of every hundred it may be taken are religious people, and desire that their children should receive a religious education; and anything that would un-Christianize any of our great seats of learning would be a deplorable national calamity, and not more opposed to the general feeling of Churchmen than to the sense of the Nonconformist portion of the public. How did the Legislature describe the University of Oxford in 1854? As "a place of religion and learning." So also in the case of the University of Cambridge. So also with respect to the Scottish Universities. Uniformly the Legislature has stamped upon its Acts a recognition of that character — that the Universities are places of religion as well as learning. I do not cease to remember the prayer which is offered up in the University of Oxford—

> "That in this and in all other places more immediately dedicated to God's honour and service, true religion and useful learning may for ever flourish and abound."

If I thought that this or any other measure would subvert that purpose, I could not support it; but when I look to the Bill I do not think it is at all a necessary consequence that it should do so. The right hon. Member for the University of Oxford (Mr. Mowbray), on Wednesday quoted a portion of the speech of the present First Minister of the Crown which he uttered in 1854, as if he (Mr. Mowbray), had some reason to suppose that he would not now adhere to the sentiments to which he then gave utterance. I have no doubt he does adhere to them, and so far as I have had communication with him I should believe he adhered to every word. I will read the passage, but I will read the whole of it, which the right hon. Gentleman did not do. This is what my right hon. Friend said—

> "I hold the relative position of the Church and of the University of Oxford to be this—that while the Church is in the position of a national Establishment, so long as the people of this country insist on a connection being maintained between religion and education, so long the Church is entitled to expect that the interests of the University, that the discipline of the University, that the government of the University shall be moulded in conformity with the principles of religion, and with the principles of religion in that specific form in which they are held and taught by the Church of England."

And then, after expressing his disinclination to draw any line which could be avoided between admission to the University and admission to such endowments of the University as did not carry with them the power of government, he declared—

> "That supposing due regard should be taken for the security of the religious teaching and discipline of the Church in the University of Oxford, then he considered there would be great advantage—advantage to Dissenters, advantage to the Church, advantage to the nation, if provision were —and he thought it could be—made for the admission of Dissenters to to the profits and advantages of education at the University of Oxford."

I have never heard anything fall from my right hon. Friend which would lead me to think he had changed those opinions. I have no doubt he still thinks it right that there should be due security for Christian and religious teaching in the University, and that he thinks this may be afforded at the same time that Dissenters may be admitted to the full benefits of the University. Let us see now whether there is anything in the provisions of this Bill necessarily inconsistent with that principle. I will take the indictment against this Bill which was laid before the late Archbishop of Canterbury. I avow that I have a great respect for those whose opinions are stated in that document, though they thus state what they believe would be the effect of this Bill—

> "At the present moment there is a Bill before the House of Commons which, if it should become law, would completely destroy the existing connection of the University and Colleges with the Church. The effect of this measure would be (1) to transfer the supreme government of the University in Convocation to a body, the individual members of which will not as such be under any legal obligation to profess any Christian doctrine whatsoever; and (2) to throw open the Fellowships to all persons without regard to religious faith. We cannot contemplate these results without dismay; for as the tutors are selected from among the Fellows of Colleges, we are convinced that the admission to Fellowships of persons not necessarily Christians will imperil the continuance of religious education in Oxford, and tend to the establishment of a purely secular system. This, we are persuaded, would be repugnant to the deep convictions of the mass of the English people, whether Churchmen or Nonconformists. It is our firm belief that the only method of securing definite Christian education on truly liberal and comprehensive principles is to maintain the connection of the University and the Colleges with the National Church."

Now, let us consider, in the first place, what is the real substance and meaning of the statement, that the effect of this measure would be to transfer the supreme government of the University in Convocation to a body, the individual members of which will not, as such, be under any legal obligation to profess any Christian doctrine whatsoever. What is the real meaning of that? That you will not enforce a test on them. That is what it means. It does not mean that you will have in Convocation such a number of persons not believing in Christianity as will be likely to exercise a material influence on the government of the University. If it does mean that, I am entirely unable to see any ground for such an opinion. As long as Christianity is the general belief of the nation, it may surely be expected to have its adequate representation in the University even without tests. It must be remembered that at present, if there be in the University so large a number of unbelievers as would subvert and un-Christianize its character, there is no security in tests against that. There is no security against persons becoming unbelievers. You may at the time a person takes the degree of Master of Arts impose a certain test; but you do not re-administer that test as often as he goes into Convocation. If persons are unbelievers, and set at nought the whole spirit of the institution to which they belong—if they care nothing for moral character—such persons would probably be willing to take the test. At all events, if they took it formerly on an occasion when it was necessary for them to do so, that would give you no security that they would not afterwards depart from the obligation which the test implies.

There is, then, no substantial security afforded by the test that the members of Convocation must really be persons who will uphold Christian doctrine. If the general Christian character of the place can be maintained, that is your security. The test would be nothing without it. I come now to deal with the Bill as it affects the teaching of the University. It affects the University in two ways. It provides first that no test shall be applied as a condition of a lay degree. I have dealt with that; but next it says in the 4th clause—

> "From and after the passing of this Act no person shall be required, as a qualification for or as a condition of holding any public professorship or other academical office or place of emolument which is or may be tenable by a layman, or as a condition of teaching, within the said Universities or either of them, to subscribe any article or formulary of faith, or to make any declaration, or take any oath respecting his religious belief or profession, or to conform to any religious observance, anything in any Act of Parliament, instrument of foundation or endowment, or statute, of the said Universities or either of them to the contrary notwithstanding."

Now, I ask the House in examining the question what the effect of that clause would be, to remember that there is nothing in this Bill repealing or purporting to repeal any of the statutes of the University. And it is important the House should know what the effect of those statutes is. As to the University Professors—of whom there are thirty-six —six being Professors of Divinity, or *ex officio* Canons of Christ Church—the University statutes forbid any Professor or Lecturer to teach, directly or indirectly, or dogmatically to assert, anything which is in any way opposed to the Catholic faith, or good morals; and enjoin them all—and in an especial manner all Professors or Lecturers in philosophy—to use all opportunities of recommending sound religion to their pupils and discouraging all anti-Christian opinions. The Vice Chancellor has a general power of punishing all offenders against the statutes of the University. Many of the Professors are removable by academical authority for any breach of duty; and others by authorities external to the University. Therefore I think it is clear that, as to Professors and Lecturers, without breach of the statutes of the University, which this Bill will leave unaltered, they could not teach anything against the religion of Christianity, or against the doctrine of the Church of England. I now come to the Colleges. The address went on to suggest that the Bill would "throw open the Fellowships to all persons without regard to religious faith." It proceeded thus—

> "We cannot contemplate these results without dismay; for as the tutors are selected from among the Fellows of Colleges, we are convinced that admissions to Fellowships of persons not necessarily Churchmen will imperil the continuance of religious education in Oxford, and tend to the establishment of a purely secular system."

But let us see whether by the Bill this is so. By the Bill the Colleges are entirely saved from all interference with their present constitution. All the Bill does is to remove tests imposed by Act of Parliament, which are external and foreign to the constitution and statutes of the Colleges. That is a different thing from what is represented in the address; because the statutes of the Colleges and of the University contain the clearest and strongest provisions against any consequences of such a character as those apprehended in the address. I have not examined the statutes of the Colleges of Cambridge; but in all the statutes made for the Colleges of Oxford by the Commissioners under the Act of 1854, or by the Colleges themselves, it is provided, that those persons are to be chosen to Headships and Fellowships who are most fit to hold those offices in the College, as a place of religion, learning, and education. It would be impossible for men, not wilfully disregarding the moral obligation imposed upon them by those statutes to elect persons known to hold irreligious opinions. Daily service in the College chapels, with regulations for the attendance of the members of the College generally, are provided for; a certain proportion of the Fellows are required to be in Holy Orders; and contumacious non-conformity to the Liturgy of the Church of England is, in twelve Colleges, made a ground of deprivation; while in the other seven there are equivalent, or still stronger provisions, requiring adherence not only to the Liturgy, but to the doctrine of the Church. As to the College tutors, the statutes of the University require all scholars in Colleges to have tutors till they graduate; and they forbid any one to be a tutor who is not—among other things—*religione secundum doctrinam et ritum Ecclesiæ Anglicanæ sincerus.* Nor is the judgment on this question left solely on the College authorities; the Vice Chancellor is to decide upon it, in case of any controversy; and the Vice Chancellor may stop the exercise of his office by any tutor who is proved before him not to have this qualification. All tutors are also enjoined to be diligent in instructing all their pupils—Dissenters excepted—in the doctrine and discipline of the Church of England, under pain of censure and punishment by the Vice Chancellor. There are similar provisions as to the Halls. The House will see, therefore, that this Bill is a measure, removing certain external Parliamentary enactments, but not taking away the existing securities contained in the statutes of the University and of the Colleges for the maintenance of religion within those institutions. I cannot be interpreting the Bill wrongly in supposing that it is not intended to interfere with these things. My hon. and learned Friend the Solicitor General last year interpreted it as I interpret it now. He then referred to these statutes in the following terms:—

> "All, then, that we ask to be done with the Colleges is that the State should remove restrictions on their freedom of action which the State itself imposed; all things else regarding them will remain as they are now. 'Their statutes, old and new, will remain unaltered.'"—[3 *Hansard*, cxcii. 212.]

And then he went on, in rather stronger language than I should have ventured to use, to say that—

> "Every single Fellow is bound by statute and by oath to elect the man whom he believes, after examination, to be most fit to be elected a Fellow of the College, as a place of religion and learning; you must have a majority of the Fellows scoundrels, or else men who have become infidels since their own election, before this measure could even aid in the election of any but a man at least honestly believed by the electors to be a moral and religious person."—[*Ibid.*, 217.]

That is stronger language than I should have ventured to use in this House, but nothing could more emphatically prove what is the avowed intention and purpose of the hon. and learned Solicitor General in bringing in the Bill. He does not in any way propose to interfere with the character of the Colleges or the Universities as places of religion, or by this Bill to authorize anything to be done inconsistent with their present statutes. As I understand the Bill, it leads to nothing but the abolition of a certain Parliamentary subscription test—it leaves the statutes of the Colleges and of the Universities unimpaired, while it takes away a certain subscription test which on certain formal occasions is now required to be administered. Now, what is the test? I believe it is only a subscription to the Thirty-nine Articles.

MR. BOUVERIE: It is a declaration of conformity with the Church of England.

SIR ROUNDELL PALMER: In the Colleges it may be so; but surely, if you are to look to laws and not to spirit in such matters, the laws I have referred to, the constitution, the statutes of the Colleges and Universities, with the powers of government which enable the authorities of the Colleges and of the Universities to enforce those laws, are infinitely better and more safe to trust to than the effect of some past test taken at some past time, and which, when once taken, is a net from which afterwards there is full opportunity to escape. There is no possibility of escape from the permanent laws of the Colleges and Universities; and, although it may be, that, in the exercise of, perhaps, a very sound discretion, there is no disposition on the part of the authorities of the Colleges and Universities to enforce these laws in an inquisitorial way, or to press them to an extreme and tyrannical extent, they bear a moral witness to the character of the institutions, and tend to the moral regulation of the conduct of those who come into them, and they morally condemn any members of the Colleges and Universities who are notoriously unfaithful to those obligations. No doubt, last year something was said—I hope it is not true—there are some things of which it is bliss to be ignorant, and in this case I partake of that bliss, for I am entirely without personal knowledge that such is the fact—but allusion was made in the debates of last year to some persons in the Universities who enjoy the benefits of some of the Fellowships, who were supposed to hold the opinions of M. Comte, or to deny the immortality of the soul. I am desirous to disbelieve that such is the fact, more especially as I have no evidence in support of it. But, assuming it to be true, of what possible use can your test be when it does not exclude persons holding those opinions from Fellowships? The true defences against such opinions are—first, the moral sense of the community; and next, the permanent laws of the community. If these are insufficient for the safety of the Colleges and Universities, what additional protection can you hope to obtain from the dead test which you made a man take some years ago when he became a Master of Arts, or upon some other formal occasion? It cannot be relied upon as a moral obligation, because nothing can surpass the moral obligation of the permanent regulations of the Colleges and Universities which form the basis of the agreement which a man has entered into with the society of which he is a member, and which is to the effect that he will observe their laws and will conform to their spirit. Therefore, I say, you may safely throw aside these tests as being of no value, for they leave behind them all that which is of value—namely, the spirit of the society, the positive laws of the Colleges and Universities, and the sanction which accompanies those laws. It is to these we must look. Now, it is very remarkable to observe in what manner some excellent persons regard this subject, who feel, as I myself do, that the Universities, if they ceased to be places of religious teaching, would be as salt that had lost its savour. They are unwilling to place confidence in anyone who will not give them the assurance that the religious character of the Universities is to be preserved. And yet, some of the most eminent and excellent of the leading men of the University of Oxford, of this way of thinking, have proposed to abandon some of the Colleges to all sorts of religious denominations—some, even, holding tenets very remote from those of the Church of England—if they may only permitted to keep others for the Church of England. But I want to keep them all for the Church of England, in the sense in which that Church has a legitimate right to and interest in them. I want the prevailing influence to remain, but to be reconciled with the liberal admission of Dissenters. When I am told that the eminent persons to whom I have alluded are willing to give up certain Colleges to those whom they regard as their irreconcilable opponents, I am reminded of the following lines in Cowper's *Needless Alarm*:—

> "Friends! we have lived too long. I never heard
> Sounds such as these, so worthy to be feared.
> . . . .
> I hold it, therefore, wisest and most fit
> That, life to save, we leap into the pit."

I think that the moral, also, is not inapplicable to their case—

> "Beware of desperate steps. The darkest day,
> Live till to-morrow, will have passed away."

Now, I may take the liberty of stating to the House my own view of what may and should be done upon this subject. I am bound to state that I think the apprehensions of which I have spoken ought not to be met without great respect and sympathy, at least by those who so thoroughly sympathize—as I do for one—with the principles entertained by those to whom I have referred; and I think that when we look at the Bill it is deficient in the full expression upon the face of it of the intention which, I am sure, its authors do entertain, to preserve intact the general authority and influence of religious teaching in the Universities. I shall, therefore, with the permission of the House, endeavour to explain the Amendments of the Bill which I should propose to effect. In the first place I think it would be just as well to introduce into the Preamble of the Bill language which will make clear on the face of it our intention to adhere to that view of the Universities which was expressed in the former Act. Therefore, I propose to amend the Preamble in the following manner:—

"In line 2, after 'Cambridge,' add, 'as places of religion and learning.' Line 4, after 'divers,' add 'unnecessary.' Line 8, after 'removed,' add 'under proper safeguards for the maintenance of religious instruction, worship, and discipline in the said Universities and the Colleges within the same.'"

In Clause 3, lines 22, 23, I propose to omit the words "or any of the Colleges or Halls thereof respectively." I also propose to insert two further clauses, one of which is as follows:—

"Nothing in this Act shall be deemed or construed to interfere with or alter, any further or otherwise than is hereby expressly enacted, the system of religious instruction, worship, and discipline which now is, or hereafter may be, lawfully established in the said Universities respectively, or in any of the Colleges within the same, or the statutes and ordinances of the said Universities and Colleges respectively relating thereto, or the power of any persons exercising authority in the said Universities and Colleges respectively to maintain and uphold such system of instruction, worship, and discipline, according to such statutes and ordinances."

The other clause which I intend to propose is one which I think the House will accept when they are told that it is merely a simplification and abridgment of one already in force with regard to the lay Professorships in the Scotch Universities.

In 1853 the old test, required from lay Professors in the Scotch Universities, was abolished by Act of Parliament, and instead of it, the lay Professors in them were called upon to make a declaration to this effect—

> "Every person hereafter to be elected, presented, or provided to any such office [of Professor, Regent, Master, or other office in any of the Universities or Colleges in Scotland, such office not being that of a Principal or Chair of Theology] shall make and subscribe, in presence of the *Senatus Academicus* of such University or College, the declaration following :—'I, A. B., do solemnly and sincerely, in the presence of God, profess, testify, and declare that, as Professor of ——, and in the discharge of the said office, I will never endeavour, directly or indirectly, to teach or inculcate any opinions opposed to the Divine authority of the Holy Scriptures, or to the Westminster Confession of Faith, as ratified by law in the year 1690, and that I will not exercise the functions of the said office to the prejudice or subversion of the Church of Scotland as by law established, or the doctrines and privileges thereof.'"

I think it unnecessary to introduce the provision as to the subversion of the Church, for I do not see what power to subvert the Established Church can be possessed, through their connection with the University, by the persons from whom the declaration will be required. But I do conceive that the general principle of the declaration is one which may properly be followed, and that the House will think it only reasonable that what is required from lay Professors in the Scotch Universities should be equally required in Oxford and in Cambridge, more particularly as they will, in effect, only promise to obey the statutes of the University. Upon this subject, therefore, I propose to introduce the following clause into the Bill :—

> "Every person hereafter to be elected or appointed to any Professorship in the said Universities, or either of them, or to the office of Tutor or Lecturer in any College within the same, shall, before he shall be capable of entering upon or discharging the duties of his office, or of receiving any emoluments thereof, make and subscribe before the Vice Chancellor of the University, or before the head or chief governor of the College for the time being (as the case may be), the declaration following :—'I, A. B., do solemnly and sincerely declare that as Professor of [or Lecturer in , or Tutor of , as the case may be] and in the discharge of the said office, I will never endeavour, directly or indirectly, to teach or inculcate any opinion opposed to the Divine authority of the Holy Scriptures :'"

So far the declaration I propose is in the very words of the Scotch declaration; it then goes on to add—

> "Or to the doctrine or discipline of the Church of England as by law established,"

being an abbreviated form, but in substance the same. I cannot help thinking that if the House agree to take what I have just read, with the other Amendments which I have ventured to suggest, they will, while leaving the main objects of the Bill absolutely untouched, sufficiently prove that it is not the intention of Parliament to subvert the religious system and discipline of the Church of England in the Universities; but that it is the intention of Parliament to reconcile it with liberality in the administration of that system. I do not propose anything, which could operate as an exclusive test, unless it could be seriouly supposed that the Professor intended to violate the statutes of the University, and to abuse the opportunities of his office in a way which no man in this House would attempt to justify. I do not propose to call upon him for any declaration of personal opinion or belief. I only ask for precisely the same security which already is required in the case of the Established Church of Scotland. I confess I can hardly see how such a proposition can be reasonably objected to. The House will perhaps permit me to conclude by expressing my adoption—with the exception of a single expression, which I think ambiguous, and which might therefore be misunderstood — of a passage in a book, which was quoted or referred to by the right hon. Member for the University of Oxford on Wednesday last. The passage is one proceeding from a venerable man, whose authority I am sure will be none the less in this House, and none the less with my hon. and learned Friend the Solicitor General, because the author, having served his country eminently for many years in high judicial position, and having acquired with all who know him a reputation for wisdom and personal virtue of the highest degree, has also conferred upon the country the benefit of giving to it such a successor to his name and reputation as my hon. and learned Friend. The advice which that excellent man, full of years and full of wisdom, has given as the result of his mature consideration—a result not arrived at without difficulty or without reluctance —is this. I have already said I shall omit a few words, and hereafter I shall give my reason for omitting them. He is addressing himself to those interested in the Universities, and wishing to maintain in them the system of religious education and instruction—

> "Recognize an inevitable necessity, not the less inevitable because you may struggle against it with partial success once and again; make a virtue of the necessity; seek to guard your concession with all such conditions as may, in your opinion, make it most salutary for the future"—

and that shall be my apology for seeking what I propose to do by my Amendments now—

> "but remembering that England is no longer what she was when our Colleges were founded; that her population is not more increased in numbers than in wealth, and in at least a certain and improvable kind of education and refinement, in refined aspirations, to be guided rather than checked; and that the desire for academical training it is almost unnatural for the Universities to oppose; that, consequently, those who now besiege your citadel have, at the very least, a plausible ground of right; that their claim, if it be indeed rightful, should and can only be satisfied by full and frank concession—concession worthy of yourselves; that it is far better that those who press on you should enter by the gates than through a breach; and that it is far more Christianlike, and therefore far more politic, to admit them as brothers than as conquerors."

The only words which I omitted were words which I observe were repeated by my hon. and learned Friend in his speech—"It is a case in which you give nothing if you give less than all." These are the words which I say might be misunderstood; they might be taken to mean that the man who desired to keep his own share of the common good gave nothing if he did not give up his own share of everything that made it valuable to him. I do not think that was the sense in which the excellent man whose words I have quoted used these words; that is not the sense in which I would myself accept them; but, with that sole qualification, I am able myself, and I should be glad, if I were able, to persuade others, to act unreservedly in the spirit of this advice.

MR. G. O. MORGAN said, he had listened with the deepest attention to every word which had fallen from so distinguished an authority as the hon. and learned Member for Richmond (Sir Roundell Palmer). And if he ventured in any way to criticize so masterly a speech, it was because he believed the supporters of the measure were entitled to base their defence of it upon much broader grounds. The compromise which the hon. and learned Gentleman wished to effect and the modifications which he desired to introduce into the Bill were such as he (Mr. Morgan) should view with regret. They amounted practically to the substitution of one test for another, and he believed that all these tests, restrictions, and disabilities were either essentially useless or essentially mischievous. They either excluded nobody, in which case they were not worth the paper they were written on, or they tended to narrow the area of selection and to diminish the number of candidates for Fellowships and tutors, and by diminishing the competition they necessarily tended to lower the standard of merit among the candidates. The principle involved in this Bill was one of the most important as well as one of the most clearly and strongly defined that ever was presented to the House; for he took it to be nothing more or less than—were they to go on restricting these great Universities, with their magnificent endowments, their unrivalled educational machinery, and their world-wide prestige, to the position of mere nurseries for the training of clergymen of the Church of England, or were they to regard them as national institutions administering public trusts for public purposes? If the narrower view, which regarded these Universities merely as theological Colleges were adopted, the right hon. Gentleman opposite (Mr. Mowbray) undoubtedly had made out a fair case against the Bill. But could any unprejudiced man logically defend a system which excluded from all participation in the government of the Universities, and from all power of competing for any of the prizes or privileges that were worth competing for, one-half, and that not the least intelligent half of the population of the State. The argument of the right hon. Gentleman opposite was the old argument against secularization of Church property, which fell so flat on the country last year. According to his view, the property of the Colleges was impressed with certain trusts and must continue subject to them, and the State had no more right to wrest this property from the Church of England than to interfere with any man's private estate. A more fallacious argument never was addressed to the House. If the right of the State were excluded, and regard were had entirely to the intentions of the founders, the Church that would be entitled to this monopoly of endowments in the country would not be the Church of England but the Church of Rome. [*Cries of* "Oh!" *and* "No!"] The right hon. Gentleman had only put his finger on one single College out of the nineteen at Oxford to which that principle would not apply. ["Cambridge?"] Well, there were only three out of seventeen. The pious founders enjoined upon the holders of the Fellowships the duty of singing mass for the repose of their souls, and also enjoined strict rules of celibacy. By way of carrying out their intentions Roman Catholics now-a-days were shut out from the benefits of the Colleges, which were at the same time freely open to persons professing the opinions of the hon. Member for North Warwickshire (Mr. Newdegate) and his hon. Friend the Member for Peterborough (Mr. Whalley). The able argument of the right hon. Gentleman the late Secretary of State for the Home Department (Mr. Gathorne Hardy) that endowments were left to the Church of Rome as the national Church and passed to the Church of England when it became the national Church, was altogether inconsistent with the argument of his Colleague, that those endowments were private property and inalienable as such. The steps taken, in 1854, of throwing open Scholarships and Exhibitions in Oxford and Cambridge to Dissenters were either too little or too much. He would ask, was it really meant by this system of checks to keep the wolf out of the fold? But nothing could be more mischievous than a system of checks which were no checks at all. Now, he would like very much to know how many men trembling on the brink of Popery had subscribed to those tests; how many free-thinkers, how many men to whom religion was a mere sham and a name? Why, he himself knew an old Fellow of a College who used to boast that he would like to see the oath he would not take in order to keep his Fellowship. They admitted such men and excluded conscientious Dissenters. It was the old story—

> "Dat veniam corvis, vexat censura columbas."

Then it was said the Dissenters had got Colleges of their own, and this was only a sentimental grievance. He was not so much afraid now of this taunt of a sentimental grievance as he would have been twelve months ago. The Irish Church was then said to be a sentimental grievance, but it convulsed the country and it upset the Government. But this he would say, that if there was one question more than another upon which the Dissenters of this country had thoroughly made up their minds, it was this question of opening the Universities. The practical view taken by the constituencies of Wales and Scotland proved that. Hon. Gentlemen opposite might say, if they liked, that the number of Dissenters who would enter the Universities, in any case, was small, and, therefore, the grievance could not be very great. But they had no right to argue from the number of Dissenters who went to the Universities now, when they took away the attractions which would naturally draw them, to the number that would attend if the Universities were open. They had made the Dissenters a sort of proselytes of the outer gate, but when they came to the inner gate within which the good things were, then they shut it in their face and kept them out in the cold. The right hon. Gentleman opposite (Mr. Mowbray) had said in his speech on Wednesday last that, as the Bill had only been printed on Thursday, the University of Oxford had not time to petition the House against the measure, but that was no argument against the Bill. If they had to wait in all cases to reform corporate bodies until those bodies invited reformation, they would have to wait for a very long time. If a Bill was brought forward to reform the Corporation of London, should they take the opinion of the Lord Mayor and Aldermen upon it? The Convocation at Oxford and the Senate at Cambridge were composed of highly respectable persons, but they did not represent the public opinion of the Universities. If the House wanted to find out the real feeling of the Universities upon this subject they must go to the Universities themselves, and to the gentlemen who were engaged there in the laborious work of tuition. These were the men who were the brain of the Universities, and they were ably represented in that House by the hon. Member for Brighton (Mr. Fawcett) and the hon. and learned Member for the city of Oxford (Mr. Vernon Harcourt). If the House went to them it would find that there was not only a majority, but a growing majority in favour of this Bill. The right hon. Gentleman opposite had said—

"Pass this Bill and you will destroy the religious character of the Universities." That would be a grievous penalty indeed, and he, for one, would not be prepared to bear the blame of it. But he must add his voice to the protest of the hon. and learned Gentleman the Solicitor General that this Bill would have no such effect. He protested against the assumption which underlay every sentence of the right hon. Gentleman, that men could be made religious or irreligious by Act of Parliament. Then it was said—"If you pass this Bill, will the religious parents of England send their sons to the Universities?" But did the right hon. Gentleman forget that the persons to be admitted by this Bill would be drawn from the great body of Christian Dissenters of England, than whom there were no men more anxious about the religious education of their children? He defied the right hon. Gentleman to say that the standard of religious education was lower in Wales or Scotland than it was in the most orthodox county in England. Then an argument was founded upon the names of the Colleges; but surely it might as well be argued that Ave Maria Lane and Paternoster Row must belong to the Church. It was said that they would have no security that the religious worship of the College chapels would be maintained. But the Bill provided for that. He could no more see how the presence of Dissenters in the University would be incompatible with the daily performance of worship in the chapels than the presence of Dissenters in a parish was incompatible with the due celebration of worship in the parish church. If ever there was a time when the Church of England could be said to be on her trial it was now, and was this the time to come down to that House and proclaim to the country that the position of the Church of England in the Universities was so insecure that she could not hold her own unless she were hemmed round by these absurd and obsolete safeguards? Such a defence as that was doing the Church of England more injury than the attacks of her most uncompromising enemies. If the Church of England would only trust a little more to the purity and simplicity of her doctrine than to these external sources of strength, he believed she would gain ten times more than by this miserable system of ecclesiastical exclusion. He looked upon this measure as a great act of justice, and believing that it was for the true interest of the nation, and that the cause of religion would gain rather than suffer by it, he should give it his hearty support.

Mr. LYON PLAYFAIR: Sir, although as a new Member, I have much hesitation in taking part in a debate of such importance, I am compelled to do so by the keen interest which the Scotch Universities have in the question. This interest is not merely abstract, but is, as I shall hope to show, immediate and practical, being alluded to in the second clause of the Bill before the House. It is now fifteen years since Parliament abolished all religious tests among the Lay Faculties of the Northern Universities, and the experience which they have thus gained ought to be some guide to us now, either by confirming the apprehensions or removing the fears of those who doubt the wisdom of the proposed measure. From the time of the Reformation to 1853, the Professors of the Scotch Universities were subject to severe tests, and for a portion of that period to the vigilant visitation of the national Church; and by an Act of 1585 our graduates were included. The tests were perplexing in their variety; and although usually Presbyterian, yet at one time they were as strictly Episcopalian as those now in use at Oxford and Cambridge. Ultimately, in 1707, the Act of Security enjoined upon all Professors, who were then the sole academic governors of the Universities, the signature of the Westminster Confession of Faith "as the confession of their faith." These words were too solemn and significant to be lightly treated, but their application led to so many inconveniences that one or two Universities—notably that of Edinburgh—declined to enforce the Act, while the others which obeyed the law were in constant trouble in consequence of it. In 1853 my right hon. and learned Friend the Lord Advocate introduced an Act for the total abolition of tests in the Lay Faculties of the Scottish Universities. The noble Lord the Member for Haddingtonshire (Lord Elcho) moved the second reading of this Act, and was met with strong opposition of a like character, and, in like terms, to that used on the present occasion. The then Member for the University of Oxford (Sir Robert H. Inglis) urged that the severance of the lay faculties from the Church of Scotland would be injurious to the highest interests of that Church. He stated that the direct consequence of admitting Dissenters among the governing bodies of the Universities would be to damage the theological teaching of the ministers of the Church who were then, as they are now, educated within the Universities. He even feared that, if the measure passed, the Universities themselves would be soon torn from the bonds which united them to our common Christianity. The hon. Baronet predicted that, if the Act of Security were tampered with, the union of the two countries would be endangered, although it had been ratified by the solemn Oath of the Queen. The hon. Member for North Warwickshire (Mr. Newdegate) also warned the House that they were enacting a measure for filling the chairs of our Scottish Universities with infidels and Papists. Scotland was, therefore, fully warned that disasters would follow the adoption of the Act—the picture of that "terrible future," as the hon. Member for the University of Oxford (Mr. Mowbray) has now called it, being painted with as dark a background, and with as gloomy colours, as we have seen used on the present occasion. But what have been the actual results of our experience? Half an ordinary generation and a whole professorial one have passed since 1853, and not a single infidel nor one Roman Catholic occupies a chair amongst us. Dissenters in abundance have professorial seats, and this may strengthen the fears of the hon. Gentleman opposite. Not a few of these have come from Oxford and Cambridge, and are much valued by us, but these signers of the Thirty-Nine Articles, and the three Articles of the 36th Canon, have never attacked the Church as established by law in Scotland. Free Churchmen and United Presbyterians, I am glad to say, also occupy our chairs; but, nevertheless, the Church of Scotland, through the Theological Faculties, continues to train its future ministers with the most perfect confidence. The graduates have now received a large share in the government of the University. They are associated into a General Council, or, as it would be termed in Oxford, a Convocation, with a power, which the latter does not possess, of initiating reforms. The majority of this Council, I believe, consists of Dissenters, when you include Episcopalians under that category, and yet they have never, by a single act in their academical capacity, tried to loosen the ties which bind the Theological Faculties to the Church. Our ministers are trained by a three-years' curriculum, and then may take theological degrees, which, incredible though it may appear to hon. Gentlemen opposite, are not cumbered by tests of any kind. Though Dissenters can and do take these degrees in divinity, I have never heard of an instance in which they use their academical vantage ground to assail the Church of Scotland. The fact is, that our Theological Faculties act in the most perfect harmony with the Lay Faculties; and, in my ten years' residence in Edinburgh, I have never met a single minister of the Church of Scotland, who has not cordially approved of the abolition of the tests by the Act of 1853. Then, as religion has not suffered by the abolition of tests, we may be assured that the temporal interests of our Universities have actually been benefited by the change. For ten years before the Act of 1853 the Scottish Universities were losing their hold on the affections of the people; for the Free Church had spread Dissent over the land, and one-half the nation was not in accord with the national Church. Steps were taken to raise Colleges for the purpose of competing with the ancient Universities, which for centuries had been closely bound up with the national life. But since tests have been abolished, complete sympathy has been established between the Universities and the people. The proof of this is, that both students and graduates have increased. In the University of Edinburgh, with which I am best acquainted, if we take the averages of ten years before the Act and of ten years subsequent to it, the increase of students is 12 per cent, and that of graduates is 170 per cent. This gratifying increase of academic activity, as shown by graduation, is, however, partly accountable to other reforms which followed in the train of the first. Surely, Sir, I was right in stating that the Scotch experience is worthy of your attention. It is true that I have been obliged to confine our religious experience to our Theological Faculties, because our northern Universities have no religious teaching in the Lay Faculties. We may be wrong in this, though I do not think we are. It is true that there is neither denominational teaching in our primary schools, nor a mixture of religion with secular instruction in our Universities, yet no one will accuse Scotland of being an irreligious nation. At the same time, the supporters of the Bill now before the House—although they think that the trumpet-note of alarm that religion is in danger has been sounded too loudly—do not wish to interfere with the established system of combining secular with religious teaching in Oxford and Cambridge. All that I contend for is this—that if infidelity, if irreligion, if hostility to the Church be necessary consequences of the abolition of tests, then they were more likely to crop up in rank luxuriance under our free Scottish system than they will under the closer collegiate system of the English Universities. That they have not done so proves that the fears of hon. Gentlemen opposite are altogether illusory. The right hon. Member for the University of Oxford (Mr. Mowbray) denied that Oxford and Cambridge Universities are national institutions, and described them as special institutions held in trust for a particular denomination. This argument we on this side of the House are not likely to admit; but I agree with the right hon. Gentleman in the first part of his statement, that they cannot claim to be truly national institutions, when, as a fact, they limit their privileges to from one-third to one-half of England and exclude Scotland and Ireland. I claim for Scotland the right to participate in all the educational advantages of the great English Universities. We freely recognize in them a finer culture and a more extended scholarship than we are able to offer in our own Universities. The love for the English Universities, which induces so many Scottish students to attend them, existed in the breasts of my countrymen long before Oxford and Cambridge had loaves and fishes, in the form of endowments, to tempt us over the Border. It requires little knowledge of the early history of Oxford to know that she was divided into two nations—one of northern men, the other of southern men. They were not unequal, either in number or in power, and fought against each other many fierce intellectual conflicts of Realists and Nominalists, and side by side with each other many fierce physical battles of Gown against Town. These memories cling to us yet, and we still send our students, by the aid of scholarships, to obtain the high culture of the English Universities. The result has been beneficial to the whole nation. By the channel of communication which these scholarships keep open, you have received from us such men as the right rev. Prelate at the head of the English Church. We ask then, as a part of a common kingdom, that our Scottish Presbyterian students should enter the Universities—which rich endowments have raised to so high a position in learning and scholarship — upon the same footing as Episcopalian students. I hear an hon. Member say that they are free to enter. That is true, but they are only free to win honours shorn of all that renders them valuable; for, surely academic degrees divested of academic privileges are singularly barren. If you throw open the gates of an orchard to the boys of a mixed school, and tell them that all are free to enter, it would be a mockery, when they did enter, to rule that only the Episcopalian boys should climb the trees and pluck the fruits, while the Dissenting boys must keep to the dead level of the walks. Would you be surprised if the generous nature of boys revolted against the partiality, and if they viewed it both as an insult and as an injury. But this is practically what is done to the youth of the nation who enter the portals of the great English Universities. It does not mend the matter to say that tests have now worn down to such mere formality, that they are readily accepted by Dissenters, and especially by Presbyterians. These tests deter men of keen conscience and quick susceptibilities from accepting Fellowships, though they readily admit those of lax religious faith; but this, Sir, is their condemnation. The Solicitor General referred to the religious persuasion of the Senior Wrangler of the present year as a barrier to his obtaining the fruition of his labours; but this is no isolated case. I know a man who was Second Wrangler in his year, and who has since honoured the University which trained him by advancing pure mathematical science more than any man in this country. His name is as well known and honoured in Continental States as it is here; but this man, I believe, never even obtained his degree, certainly not his Fellowship. If the endowment of a Fellowship be worth anything, here was the occasion for its application as a means for giving learned leisure to a man whose genius produced fruits of no marketable value. But my friend was a Jew, like the Senior Wrangler of this year, and so Cambridge rejected him, and he had to win bread for himself as an actuary in an insurance office. It is true that I could cite cases of an opposite kind, in which Presbyterians, though strongly attached to their own forms of worship, yet, finding little repugnant to their doctrines in the English Church, have signed the Articles and conformed to its services in order to enjoy the Fellowships, but only till they had an opportunity of returning to their first love. [*Laughter.*] Hon. Gentlemen laugh, but surely tests taken in such a loose fashion cannot benefit the Church which requires them, and may sear the consciences of those who take them. The temptation to do so is great—for infidelity after signature is not attended by penalty. In conclusion, let me express the hope that the effects of this measure will be as beneficial to the English Universities as a like measure has been to the northern Universities. Notwithstanding the splendid histories of Oxford and Cambridge, and their present educational glories, there must be a feeling of regret on the part of their friends that they are so scantily attended by students. In Scotland we have one University student for every 900 of the population; in England, including Durham, and allowing 1,000 matriculated students for London University, there is only one student to 4,400 of the population. No leading State, except Russia, has such scanty numbers. The conclusion is obvious that the English Universities are not now in accord with the mind of the English people. It was not so in past periods of their history. At one time Oxford alone had a much larger proportion of students to the population than Scotland has now; and even after the Reformation she had three times as many as at present. Its educational revenues in those prosperous times were but moderate. Less than one year of Oxford's revenues would now buy up the whole capital of the University of Edinburgh and all the salaries of its Professors capitalized at twenty years purchase; and yet, with all these gigantic resources, Oxford possesses only 200 more students than the poor northern University. What can be the reason for this small diffusion of her educational powers? It is not owing to any weakness in her teachers, for they are of the highest eminence and scholarship; it cannot be due to a restricted curriculum, for that is now extended and liberal; it certainly does not result from stinginess in money rewards, for they lavish these with a prodigal hand. Indeed, we are told by the Rev. Mark Pattison, the Rector of Lincoln College, in his excellent work on academical organization, that one out of three students at Oxford are paid for attendance in the form of scholarships. Yet, with all these academic inducements and bounties, the students only slowly increase, and merely in proportion as the bounties are augmented. I believe that there is more than one cause for this want of sympathy between the Universities and the people, but the main cause certainly is that they have raised a denominational barrier between themselves and half the nation. This Bill does not propose to knock down this barrier, but it makes many breaches in it, through which numerous students will pass. Burke has said—

> "The citizens of a State are a partnership; a partnership in all science, in all art, in every virtue, in all perfection."

It would be well for the English Universities if they recognized fully the truth of these noble words, and if they gave to all citizens alike, and without reserve, the freest partnership in those treasures of learning and of virtue which they are so well calculated to impart, and which the nation has entrusted to their keeping.

Mr. NEWDEGATE thought the argument which the hon. Member for the University of Edinburgh opposite (Mr. Playfair) had just addressed to the House was most peculiar, notwithstanding the eloquence in which it was clothed. The hon. Gentleman, for example, omitted to allude to the fact, that the appointment of Heads of Houses at Oxford or Cambridge were not made or held on the same terms as the appointment of Professors in the Scotch Universities. The hon. Member had alluded to expressions used by the late Sir Robert Inglis and himself in 1853, when the tests for admission to the Professorships of the Scotch Universities were about to be abolished, and when he had asserted that these Professorships might be held thenceforth by infidels or Roman Catholics. He denied that such had been the result; but was the hon. Member prepared to say that no person who disbelieved the great truths of Christianity held a Professorship in any of the Scotch Universities? The hon. Member shrank from such an assertion; indeed, if he had not, it was evident the tests were abolished; that he had no criterion by means of which he could dispute the opposite of his inference. All this part of the hon. Member's argument rested on mere assumption. While paying the highest tribute to the superior culture of the English Universities the hon. Member expected the House to accept his dictum, that none of the Professors at any of the Universities in Scotland disputed the great truths of Christianity, or had a leaning towards the Church of Rome. And how did the hon. Member support his assertion? What was his illustration? One of the hon. Gentleman's main objections to the system in force at Oxford and Cambridge was that it had excluded a gentleman who was of the Jewish persuasion, and, consequently, not a Christian. The hon. Gentleman had failed to give any valid assurance that the anticipations which he had formed in 1853 had not been realized, or that they might not be realized. The hon. Member for Denbighshire (Mr. G. O. Morgan) had been kind enough to declare that his (Mr. Newdegate's) religious opinions were identical with those held by the hon. Member for Peterborough (Mr. Whalley). Now, he felt bound in justice to the hon. Member for Peterborough to remind the House of the fact that the hon. Gentleman had repeatedly declared, that there was no such identity, although it sometimes happened that the hon. Gentleman's views coincided with his own on subjects relating to the effects of the Roman Catholic religion. With regard to his own opinions, they were Catholic in the sense of the Church of England, and therefore strongly Protestant—as strongly Protestant as those of any Italian. Such were his opinions, but they were not shaped by the hon. Member for Peterborough, as that hon. Gentleman had expressly stated more thanonce. The hon. and learned Member for Richmond (Sir Roundell Palmer) had asked the House not to insist upon retaining the existing tests, because he asserted that the law would be sufficient without them. It appeared to him that our modern progress was very re-actionary, and he would mention a striking instance, which proved the truth of this assertion. Formerly the law enacted that no one except a Protestant should occupy the Throne of these realms, but Parliament found this security so insufficient, that forcible and emphatic declarations were enacted and were by law required to be made, and had been made by every Sovereign since the days of James II. The tendency of the present day, however, seemed to go back to the practice of the period when there was no such test. The hon. Member for Denbighshire had declared that the Universities were not national, meaning probably that they were not cosmopolitan. The Universities of Oxford and Cambridge were no less national than the Church of England, and he denied that the Church of England was not a national institution simply because Dissenters existed. Indeed, if he were to hold the opposite doctrine he should be adopting the intolerance of the Church of Rome, whereas he maintained that the tolerance of the Church of England and the open existence of Dissent were tests of her nationality. The hon. Member's statement, however, if true, which it was not, afforded no argument for sweeping away the securities by which the law had hitherto limited the teaching of the Universities to the doctrines of the Church of England. If any charge of intellectual or literary deficiency could be substantiated against Oxford and Cambridge, the promoters of the present Bill would be able to make out a case; but, in point of fact, their excellence in these respects was the cause of envy, and it was to gratify that envy the House was asked to abolish the limits within which the Universities had attained so high a degree of excellence. He (Mr. Newdegate) believed that if the constituencies of the kingdom had been fairly informed on this subject the majority would be found to be adverse to the Bill. With reference to the Amendment intended by the hon. and learned Member for Richmond, he observed that they afforded evidence of his consciousness of the necessity for some test or criterion of the religious opinions held by the Heads of the Colleges; but, inasmuch as his Amendment would require the test of each Head of a College alone, he would thereby disassociate the Head of the House from the Fellows of the College, and would destroy the constitution of the Colleges. And the hon. Gentleman concluded by an exhortation to Members on the Opposition side of the House to yield their opinions, and to acquiesce in that which they disapproved. That doctrine, if accepted generally must prove fatal to all Parliamentary government which depends upon the honest expression of opinion in that House; because it would destroy all sense of personal responsibility, not merely the responsibility of the Administration of the day, but all sense of personal responsibility on the part of each Member of this House to those who had returned him as their representative on the faith of his fairly expressing their opinions. He had been returned to that House to oppose this measure, and it was a duty in which he would not fail.

Mr. W. FOWLER said, I shall not detain the House, but I desire to say a few words on this very important question. I am glad that the right hon. and learned Gentleman opposite (Mr. Mowbray) has admitted that the Universities are "national" institutions. This clears the ground; but he goes on to say that, being such, they are "invested with a distinct trust, connecting education with a definite form of religious teaching." It is in the first place to be observed that the "form" now used is not that originally intended. Hon. Gentlemen opposite may talk as they please about being "Catholics," but I maintain that it is the glory of the Church of England that she is a Protestant institution. Moreover, I say that the venerable men who founded the Colleges at Oxford and Cambridge would not have approved the form of religion now taught there. At the Reformation the mind of the nation changed, and the consequent change in the Universities was "inevitable," as the hon. and learned Gentleman the Solicitor General has justly remarked. And yet we are often told that these tests, as now established, cannot, under any circumstances, be altered. Now I desire to consider this question from a point of view somewhat different from that which has been sometimes taken. The law which creates these tests was a natural law in former times, when intolerance was the rule of the State. We then had one predominant religion, starving out, if possible, all other religions. The law, in short, adopted one religion as true and declared all others to be false. All such intolerant laws, of which the present law is a remnant, said, in short—"We have the truth, and we will force you directly or indirectly to take our view of the truth." This is entirely contrary to the spirit of Christianity, which says—"I have the truth, and I will, if I can, persuade you to accept it." The times are past when torture or imprisonment for religious belief are possible; but such a law as that we are discussing amounts, in fact, to an indirect persecution—["No, no!"]—I say "yes;" Hon. Gentlemen may say "no" as long as they like: the fact remains. Hon. Gentlemen opposite say there is no grievance; but I say there is a grievance. The first thing I did on coming down to the House tonight was to present a petition from a gentleman who was Senior Wrangler and First Smith's Prizeman in 1861, and who has ever since resided in Cambridge; but who, because he is a Dissenter, has not had his Fellowship, nor been admitted to his proper position in the Senate of the University. The truth is that the Dissenters go to the University as an inferior caste, and are like goods marked "dangerous." I am sometimes disposed to think that you had better never have removed your old restrictions than attempt to remain in your present illogical position. But then we are perpetually met with what the Solicitor General calls the *non possumus* argument. We are told that we must look to the will of the founder and abide by it. Now, in the first place, speaking generally, I think we allow men to speak too long after they are dead. But, in the next place, you do not respect the will of the founder. Only lately, the noble Lord the Member for Calne (Lord Fitzmaurice) told me of a case where a Roman Catholic who had distinguished himself as a graduate was refused a Fellowship in his College which had been founded by his own ancestor. There was no respect here to the "will of the founder." But then, it is said, even if you do not have the same religious teaching as that indicated by the founder, you must have some religious teaching. The hon. and learned Member for Richmond (Sir Roundell Palmer) has shown that, even if the Bill pass, you will still have religious teaching. But I would ask, if you are so fearful of scepticism and so jealous as to your religious teaching, how is it that you do not keep out this scepticism with your present machinery? I confess I do not think that any harm would be done by the addition to your numbers of a few distinguished men who do not conform to the Church of England. They are certainly far better than men who profess to conform and do not in heart believe what they say when they accept these tests. Hon. Gentlemen are fighting with the creations of their own imagination when they say that, because a few Dissenters are added to the Senate, the whole teaching and government of the Universities will be changed. There is a great inconsistency in the whole matter. You allow the Parsee and the Dissenter and the Church of England man to mingle together as students at the age when they are peculiarly susceptible to impressions from men of their own age, and when, therefore, these heretical people are most dangerous, and you express no fears; but when they are grown up and have attained to distinction, you are afraid of them and exclude them. And now I want to ask hon. Gentlemen opposite what is this religious training which is, as we are told, of such great importance to the nation. I cannot describe it from my own experience, as I was not educated in either of the old Universities; but I will describe it in the words of one of the most distinguished graduates that the University of Oxford has produced in our days. He says—

> "For years—I had almost said centuries—the prevailing temper of the governors of Oxford has been steadily set againt religious earnestness, from whatever quarter it may come."

And again—

> "I do say that to speak of the Oxford system having been founded on religious influences or guided by personal religious teaching in any sense which could be interfered with by the presence of Nonconformists in Convocation is really to fly in the face of the plainest facts, and to take refuge in the merest theory and imaginative dreaming."

These are the words of Her Majesty's Solicitor General. Something has been said about the College chapels, but I deny that mere going to College chapel is religious training. Moreover, whatever good there is in it is expressly retained in the Bill. But after all, says the hon. and learned Gentleman opposite—if you get this Bill, something else will follow. So it may if the Bill works well, but not otherwise. There is nothing to force Parliament on, if this legislation proves injurious. I am satisfied, Sir, that there is no danger in this Bill. You will not find Dissenters more sceptical than Members of the Church of England; and, more than this, I am sure that the young men who come from the families of Dissenters will be found to have had just as careful a training as those who have been brought up in the Church; and even if Dissenters should hereafter have more power in the Universities, the hon. and learned gentleman may still use the old motto, *Dominus illuminatio mea*, without fear. Before I conclude, I wish to refer to the speech of the hon. Member for the University of Cambridge (Mr. Beresford Hope) last year, in which he made some strong remarks as to the dangers of "free thought." I think, Sir, we ought not to give way to these fears. It is an age of inquiry, and the University ought not to shrink from it. We cannot stop the progress of men's minds, especially when we have a free Press. It is the old story about hedging in the cuckoo. Men will think; and thought will be free within as well as without the Universities. Good men are too timid, and act as if they had no confidence in the faith they profess. If they believe in their religion, they believe that it will prevail. I will only add that I do not think the declaration proposed by the hon. and learned Member for Richmond can be accepted. I have heard his speech with much pleasure and admiration, but I do not like his proposal. I ask the House to pass the Bill, and thus to break off another link from the chain which connects us with the times of intolerance and persecution, on which we look back with no kindly feelings.

MR. BERESFORD HOPE moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Beresford Hope.*)

The House *divided*:—Ayes 75; Noes 251: Majority 176.

Question again proposed, "That the word 'now' stand part of the Question."

Mr. BERESFORD HOPE, who rose amid cries of "Order," said, that the question was one which peculiarly affected his constituency (Cambridge University), and it had assumed a new complexion since the speech of his hon. and learned Friend the Member for Richmond (Sir Roundell Palmer). ["Order, order!"]

Mr. SPEAKER: The hon. Member is out of Order in now addressing the House.

Mr. BERESFORD HOPE: The Motion for adjournment having been defeated, I was rising to speak upon the Main Question.

Mr. SPEAKER: The hon. Gentleman having made a Motion has exhausted his powers in this debate.

Mr. NEWDEGATE, who rose amid cries of "Spoke," said, that he should conclude with a Motion.

Mr. SPEAKER: The hon. Gentleman having spoken in this debate cannot make any Motion.

Mr. BENTINCK wished to point out to the House—

Mr. SPEAKER: The hon. Member having seconded a Motion cannot speak again.

Mr. BENTINCK said, he rose to Order. He apprehended that having merely seconded the Motion by a gesture he was at liberty to address the House on the Main Question.

Mr. SPEAKER: The hon. Member having seconded the Motion is not entitled to address the House.

Mr. RAIKES moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Raikes.*)

Mr. GATHORNE HARDY said, he thought that the speeches addressed to the House to-night called for an answer from that (the Opposition) side, and they had a right to expect that the House would hear them; but, as he had himself held out expectations to his right hon. Friend the Member for Kilmarnock (Mr. Bouverie) that they would wait to see what course would be taken upon the Amendments of which notice had been given, and as he knew that great numbers of hon. Gentlemen were informed that there would be no division on the second reading, he thought that they were bound to allow the debate now to be brought to a conclusion. He hoped, therefore, that the Motion for adjournment would not be pressed, and that he should then be allowed to say a few words upon the Main Question.

Mr. NEWDEGATE asked whether it was not competent for an hon. Member who had spoken upon the Main Question to move the adjournment?

Motion, by leave, *withdrawn.*

Mr. GATHORNE HARDY: Sir, the silence which my hon. and learned Friend (Sir Roundell Palmer) has preserved for so many years upon this question is at last broken, and the House has listened to his remarks with obvious interest. I was not in the House in 1854, and therefore was not able to take any share in those debates in which he took a prominent and, no doubt, very effective part. My hon. and learned Friend tells us that at that time he foresaw the course of events, and rather pointed to my noble Friend who is not now in the House (Lord Stanley) as having been the author of the present measure. I believe that at that time my noble Friend drew a distinct line between the Universities and the Colleges. Even in more recent times, within the last two years, the Solicitor General himself was not prepared to interfere with the Colleges, as he has by the present Bill and the measure of last year. Upon the first occasion when he introduced a Bill on this subject he said distinctly that it would interfere only with the Universities; he kept it entirely apart from the plan of my right hon. Friend the Member for Kilmarnock (Mr. Bouverie). He added, "I have nothing to say upon that Bill," and though I know he was even then in some doubt upon the subject, he took no part in supporting that Bill, and did not even vote upon it. This was what occurred in 1866 and 1867, and it was not till 1868 that the Solicitor General combined the Bill of my right hon. Friend with his own measure. Now, I mention these things, not for the purpose of throwing any discredit upon those whose opinions have so advanced, but I may justly claim for those who took a different view that they prophesied that that course must be taken, and that that little Bill was the precursor of a much larger Bill, just as the present measure is only the precursor of some very much larger one. [*Cheers.*]

The hon. Member for Brighton (Mr. Fawcett) cheers that sentiment. He has always wished that a permissive or *quasi* permissive Bill should give place to a compulsory Bill, and no doubt in a short time we shall see this Bill followed by measures as strong and as compulsory as those which we predicted when the Bill was introduced in 1866. My hon. and learned Friend has endeavoured to lead the House to the conclusion that this Bill will practically effect nothing in the Universities, that it will leave things exactly where they are, that we need not be in the least afraid of it, and that though there were logical sequences to the Bill of 1854, there are none to this Bill. Now, is that the case? Are there no such logical sequences to the present measure? What has he told us? Why, that practically the connection of the University with the Church of England will be just what it was before; that the University will be a place for the promotion of religion and learning just in the same sense as before; that nothing will happen on the passing of this Bill, which practically requires the religion of the Church of England from those who are in a professional and tutorial capacity. If we are to judge a measure by the intentions of the introducer of it, as the hon. and learned Member for Richmond (Sir Roundell Palmer) stated, what were the words of the proposer of the present Bill in 1867, when he had not arrived at the conclusion of advocating anything like this measure, for then he did not deal with the Colleges at all, but only with the Universities? The hon. and learned Member for Exeter (the Solicitor General) then said, speaking on the second reading of his Bill—

> "I am ready to admit the Bill is a small one and only deals with one definite point; nor do I expect if it were to pass that any great or important changes would take place in consequence. But, on the other hand, I should not be dealing candidly with the House if I disguised from it that the Bill put forward a very important principle. It will establish the nationality of the University as against the Church of England—it will destroy its exclusive character and change its constitution."

That was explicit, and what my hon. and learned Friend says he means. The hon. and learned Member for Richmond has alluded to what took place in 1866, and what was said on that occasion had a soothing effect, it appears, on the mind of the hon. and learned Member, who, however, if he had perceived the real meaning of those expressions, should have resisted this measure to the death. The right hon. Gentleman at the head of the Government expressed an opinion with regard to the admission of the Dissenters, and I understood my hon. and learned Friend the Member for Richmond to say that a quotation I had made from that speech did not express the right hon. Gentleman's meaning according to the passage which he afterwards read. The right hon. Gentleman at the head of the Government on a recent occasion represented most distinctly the danger of the admission of different creeds into the governing body, especially of the Colleges, and in 1867 he made a speech against the Bill of my hon. and learned Friend, and expressed in strong language the propriety of keeping up the religious character of the Universities, that character being a definite and Church of England one. I admit that there is as much personal religion among Dissenters as among Churchmen, and that many of the Dissenters are men of deep religious feeling, but that renders this question more serious when you bring Dissenters in contact with the Colleges. The hon. and learned Member for Edinburgh University (Mr. Playfair) speaks of Oxford as if it were Edinburgh; but the fact is that in Edinburgh the students are spread through the town, while in Oxford there are Colleges, in which they reside, and if you introduce the element of religious discord into the Colleges you will not be doing that which will conduce to the advantage of those Colleges. At Oxford, there are Colleges with four or five resident tutors, and I assume that if the Bill were to come into operation there would be among them men with too strong religious feelings to allow them to conform to the Church of England. Suppose a Roman Catholic, or a Jew, or an Unitarian to be admitted to a Fellowship in one of these small Colleges. That would alter the relations that existed between the Fellows. The Head might still be of the Church of England, but the conversation, the discipline, everything would be changed. There would no longer be that freedom of intercourse in the discipline, religious as well as other, which existed before. ["Oh!"] The

College would be what it was not before, a body of persons living together, with different religious sentiments. And, in addition, persons without religion at all are to be admitted. I admit that the conduct of some persons who are now admitted on taking the test, in indulging in other places in expressions of infidelity—in the College they are bound by a certain respect to decency to pay what is called homage to religion—is disgraceful to them, but it does not follow that the admission of a person without taking any test at all, is desirable, although he may be a more honest man; for the number of those who so disgrace themselves is not great, and they constitute but rare exceptions. According to the statutes of the Colleges of Oxford and Cambridge, the Fellows, as a governing body, act together as members of the Church of England, carrying on religious instruction in accordance with that profession. In the case of the Endowed Schools, where persons of all creeds are admitted to the benefit of the schools, this House has always refused to admit Dissenters into the governing body of trustees of any Church of England foundation. The hon. Member argued that if the intentions of the founders of these institutions were to be respected, it should be remembered that the founders were Roman Catholics. That argument introduces a wide question, and has an application not only to Colleges and Universities, but to the Church of England itself. It would establish a principle calculated to pull down the Church of England. Now, I hold that there was not an alteration in the position of the Church of England at the time of the Reformation, but only a fair and reasonable change in the character of the Church, which, having thrown off certain errors, still continued to be the national Church, and entitled to the endowments. On the same principle, I hold that the Colleges are entitled to their endowments. I should like to see something done to remedy what some may feel to be a grievance. I wish very much there could be created out of the funds of the Universities—of the Colleges if it may be—Fellowships which may be held as a reward by those who come up, whatever their creed may be, and whom we have admitted to all the benefits of education; and I should be glad if they could be put in a position which would show that they had won honours at the University; but I object to an admixture in the governing bodies, in the Colleges, and in the University itself, which must necessarily lead to their being eventually secularized. If the time ever comes which you anticipate, when persons of different creeds shall be blended together in the governing bodies, the time must be when respect for conscience among the men composing them will eventually lead to the secularization of those endowments, and to getting rid of all connection between religion and the University as such. That is what we protest against. That is what was foreseen by Sir William Heathcote, in 1866, when he wished to bring this controversy to a satisfactory conclusion. For three years my hon. and learned Friend (Sir Roundell Palmer) has been looking on in silence, and at last he has been compelled to speak. He proposes certain Amendments, and I should be sorry to say offhand what I think of them, but I see plainly enough that hon. Gentlemen opposite do not want to change one test for another, and they would rather prefer that which exists than that which my hon. and learned Friend proposes. At the same time, as my right hon. Friend (Mr. Mowbray) said, there is a strong desire if it be possible to bring this question to a conclusion; it must be a satisfactory conclusion; and, as far as I am concerned, I should be glad to give my assent to anything I could accept without violation of principle; but so far as I can see at present, I do not believe that these clauses, which it will be necessary to consider carefully, would be such that I could assent to them as a settlement without violation of principle. I express myself strongly upon these matters, because I feel strongly. I trust that hon. Members will not be led by the bigotry of latitudinarianism to intolerance to the Church of England, but will permit us to hold, without intolerance, to that which we already possess, and will believe that, in maintaining the right, as I hold, of the Church of England to those endowments for its benefit in the Colleges and in the Universities of Oxford and Cambridge, I am not seeking to deprive them of privileges to which I do not believe them to be entitled. I am desirous at the same time that they should have the benefits of a liberal education in the Universities without claiming positions there which, I believe, were never intended for them, and would not be a benefit to them, but would lead to fresh disputes and controversies. With that belief I have always opposed this Bill in its present shape and I always shall.

Mr. WALPOLE: Sir, it being understood that no division is to be taken at this stage of the Bill, and that there has not been any desire on the part of the Universities, or those who have spoken for them—as I can affirm—to prevent a liberal education being given in the Universities to those who are not members of the Church of England, the only question we have to consider is how we can reconcile education, followed by all honours and rewards, with certain qualifications, such as are required in other institutions called national, for members of the governing body. It is with a view to this reconciliation that I am anxious to see the Amendments of the hon. and learned Member for Richmond (Sir Roundell Palmer). They have been lucidly explained, but the House ought to see them, and the Universities and Colleges should have an opportunity of considering them, before any definite action is taken. For this reason, while I cannot vote for the second reading—for I cannot take the Bill as it stands—I am willing to wait until we have seen the Amendments, and, therefore, in case of a division, I shall take the course—unusual for me—of leaving the House, in order to reserve for myself the opportunity of considering the Bill and the Amendments in Committee, and seeing whether a settlement can be arrived at which may be satisfactory to all parties.

The SOLICITOR GENERAL: Sir, I will not take up time now by replying to the arguments of the right hon. Gentleman opposite. It may be convenient, perhaps, as my hon. and learned Friend has given me an opportunity of seeing his Amendments, that I should state how they strike me and what of them in principle I can accept and what I cannot accept. As I understand the Amendments of my hon. and learned Friend, they may be divided broadly into two parts—first, certain verbal Amendments which he thinks will make the Bill more clear than it is at present, and the insertion of a clause by which the doctrine, discipline, and public worship of the Church of England, according to the existing ordinances and statutes of the Universities, subject to all future legal changes and all inherent powers of change in the Universities and Colleges, shall, so far as this Act is concerned, be preserved intact. These Amendments will only make more clear the object of the Bill, and, as far as I am concerned, they shall be accepted frankly. By the other Amendment my hon. and learned Friend intends to propose the adoption of what may be called a negative test; and to provide that lay Professors shall undertake as Professors not to teach anything contrary to Holy Scripture or the doctrine and discipline of the Church of England. At whatever risk of misconstruction and of pain to myself in differing from one for whom I have so profound a respect, I must say that no consideration will induce me to accept the latter Amendment. I say that for this other reason—it appears to me to be unnecessary, and it will therefore be purely mischievous. I have never disguised the difficulties surrounding this measure. I should be ashamed of myself if I spoke with anything but the respect and sympathy to which they are entitled of the views and apprehensions as to the security of the future religious teaching of the Universities which, although they appear to me to be quite unfounded, are entertained sincerely by hon. Gentlemen opposite. I will only ask them to be equally fair with me. I will ask them to admit that there is a considerable amount of evil which needs to be remedied. I ask them to admit that there is a certain amount of wrong and injustice which calls loudly for redress. No measure of this kind can be passed into law without a certain amount of risk in theory and it may be of evil in practice. The question for us as statesmen and lovers of our country is this,—Is the gain we seek worth the price at which we propose to purchase it? Is the state of things which we propose for the future better or not better than the state of things which we know exists? This I conceive to be the true issue in this case. Upon that issue my own judgment is in favour of going forward, and upon that issue with the greatest respect, and yet with perfect confidence, I venture to ask the judgment of the House of Commons.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Wednesday* 5th May.

PARLIAMENT—BUSINESS OF THE TWO HOUSES.

Mr. GLADSTONE said, he would beg to give notice that he would to-morrow move that, in conformity with the Message from the Lords, a Committee of six Members be appointed for the purpose of taking into consideration the arrangement of Business in relation to the two Houses in the hope of devising some means for improving them. That would best be done by moving that the Message of the Lords be taken into consideration. It would come on immediately after the Notices as an Order of the Day.

SEA FISHERIES (IRELAND) BILL.

On Motion of Mr. Blake, Bill to amend the Laws relative to the Sea Fisheries of Ireland, *ordered* to be brought in by Mr. Blake, Viscount Burke, Colonel Annesley, and Mr. Kavanagh.

Bill *presented,* and read the first time. [Bill 51.]

House adjourned at a quarter
after One o'clock.

HOUSE OF LORDS,

Tuesday, 16*th March,* 1869.

MINUTES.]—Public Bills—*Second Reading*—Consolidated Fund (£8,406,272 13*s.* 4*d.*)* *Committee*—Common Law Courts (Ireland) (9).

COMMON LAW COURTS (IRELAND) BILL.

(Earl Granville.)

(NO. 9). COMMITTEE.

House in Committee (according to Order).

Lord WESTBURY moved to insert a new clause, vesting the appointment of the Master and certain other officers in the Chief Judge of each Court. At present this patronage was vested in the Lord Lieutenant, and the exercise of it was sometimes accompanied by anomalous and inconvenient results. The English Judges appointed the officers of their own Courts, and it was invidious to place the Irish Judges in a different position, especially as these officers were important auxiliaries in the administration of the courts. The change was recommended by a Royal Commission in 1862, and the present was a very opportune moment for carrying it into effect, there being little probability of the patronage being exercised for some time. He was glad to learn that the Government were prepared to accede to the proposal.

Lord DUFFERIN said, that the object of the measure being to assimilate the procedure of the Common Law Courts in England and Ireland, the Government were of opinion that on this point also there should be an assimilation, and they were prepared to accept the clause moved by his noble and learned Friend.

Lord CAIRNS said, it was most anomalous that appointments which in this country were made by the Chiefs of the different Courts should in Ireland be made by the Lord Lieutenant. The existing practice in Ireland was inconvenient and injurious, and placed an invidious and responsible task on the Irish Government. He could quite understand their willingness to get rid of that task, for it was only natural that there should be differences of opinion between the Government which appointed these officers and the Judges, who, of course, believed themselves to be best qualified to make the selection.

Lord CHELMSFORD said, that he had on a former occasion expressed a strong opinion on the matter, and he was therefore glad the Government had accepted the clause. He was sure they had done so on principle, and not on account of the probability of the exercise of the patronage being remote.

The LORD CHANCELLOR said, that his assent to a proposition of this nature was not new, as he approved such a change when he acted as a Commissioner on the subject with the noble and learned Lord opposite (Lord Chelmsford), and his signature was appended to the Report.

Clause *agreed to.*

Further Amendments made: The Report thereof to be received on *Friday* next.

House adjourned at half past Five
o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 16*th March*, 1869.

MINUTES.]—New Members Sworn—Sir Harcourt Johnstone, baronet, *for* Scarborough; Richard Joseph Devereux, esq., *for* Wexford Borough.

Select Committee — Parliamentary and Municipal Elections, *nominated;* Mail Contracts, Mr. Seely and Mr. Graves *added*; Despatch of Business in Parliament, *appointed* and *nominated.*

Public Bills — *Resolution reported—Ordered—First Reading*—Lord Napier's Salary* [57].

Ordered—First Reading—Metropolitan Poor Act (1867) Amendment [53]; Salmon Fisheries (Ireland) [56]; Turnpike Roads* [52]; Land Tax Commissioners' Names* [54]; Drainage and Improvement of Lands (Ireland) Supplemental* [55].

Second Reading — Party Processions (Ireland) [6]; *debate adjourned.*

Committee—Report—Lands Clauses Consolidation Act Amendment* [34]; East India Irrigation and Canal Company (*re-comm.*)* [8].

Third Reading—Metropolitan Commons Supplemental* [30].

IRELAND—PROPERTY OF THE IRISH CHURCH.—QUESTION.

Mr. MELLOR said, he would beg to ask the First Lord of the Treasury, Whether it is a fact that Archbishop Bramhall was instrumental in purchasing tithes from lay impropriators in Ireland amounting to £30,000 per annum or more; and, whether the purchase money was or was not raised by large private subscriptions in England; and, if so, whether the tithes so purchased by that most Right Reverend Prelate will be retained by the disestablished Church in Ireland?

Mr. GLADSTONE: Sir, the Question put to me by the hon. Member refers to a point of historical investigation to which I had no time to allude in the speech I made on the subject of the Irish Church, and which I can hardly explain in a satisfactory manner within the compass of a reply to a Question. I must, therefore, ask the hon. Gentleman to be content for the present with my making a very brief answer to the various portions of his Question. I do not think it is the fact—

> "That Archbishop Bramhall was instrumental in purchasing tithes from lay impropriators in Ireland amounting to £30,000 per annum or more."

I have no doubt that Archbishop Bramhall did acquire, during the reign of Charles I., both very considerable amounts of tithes and quantities of land for the Church; and that he may have given a sum of money for that purpose I am not prepared to dispute. But I do not believe that these transactions were at all in the nature of what are now understood as purchases. Therefore, to the question whether the purchase money was or was not raised by large private subscriptions in England, I must answer that I am not aware that any proof exists that any considerable sum of money was raised by private subscriptions in England for that purpose. With regard to the latter part of the Question—namely—

> "Whether the tithes so purchased by that most Right Reverend Prelate will be retained by the disestablished Church in Ireland,"

That of course the hon. Member would be able to answer from the Bill itself. They would not be retained.

LAW OF EXTRADITION.—QUESTION.

Mr. M'CULLAGH TORRENS said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is the intention of the Government to bring in a Bill this Session embodying the Recommendations contained in the Report of the Select Committee of last year in favour of a uniform and permanent Law of Extradition?

Mr. OTWAY said, in reply, that it was the intention of his noble Friend the Secretary of State for Foreign Affairs to introduce into the other House of Parliament a Bill on the subject to which his hon. Friend had referred.

INDIA—BANDA AND KIRWEE BOOTY.
QUESTION.

Colonel NORTH said, he wished to ask the Under Secretary of State for India, Why the Papers relative to the Banda and Kirwee Prize Property, which were moved for and promised at the end of July 1866 and again in 1867, have not yet been produced; and, whether the Booty realized by the Government of India from the seizure of the Funded Property of the captured Chiefs of Kirwee is to be distributed to the Troops?

Mr. GRANT DUFF: Sir, these Papers were delayed because, after communication with all the Departments concerned, we could not succeed in getting the whole of them. I should think that since the payment of all the money due they will have lost their interest; but if the hon. and gallant Member will communicate with me, and wishes to have what we can give, we shall do the best we can to meet his wishes. I understand his second Question to refer to certain Government promissory notes, about which a memorial was lately sent to the Secretary of State. If that is so, I have to say that the Secretary of State has informed the memorialists that he cannot accede to their petition.

ARMY—ALLOWANCES TO TROOPS IN CHINA AND JAPAN.—QUESTION.

COLONEL NORTH said, he would beg to ask the Secretary of State for War, When the Correspondence relative to the Scale of Consolidated Allowances to the Troops in China and Japan, ordered on the 23rd February, will be laid upon the Table of the House?

MR. CARDWELL said, in reply, that the Correspondence in question was rather voluminous, but he believed it would be laid on the table in a very few days.

DIET OF MERCHANT SEAMEN. QUESTION.

MR. GILPIN said, he wished to ask the President of the Board of Trade, Whether he has considered the desirability of introducing a dietary scale for Seamen into the Mercantile Marine Bill; and, whether he has been informed that the carrying out of the Admiralty Scale for Troops and Her Majesty's Emigration Commissioners' Scale for Emigrants has been highly satisfactory, and that a similar scale for Seamen could now be arranged without entailing additional cost to shipowners?

MR. BRIGHT, in reply, said, the answer he had to give to the Question put by his hon. Friend was very short. By the Merchant Shipping Act of 1854 a dietary scale, as agreed upon between the parties, was to be inserted in the articles of agreement. The Board of Trade had no power in the matter; and, generally, he might say he thought that to settle questions of what should be the supply of food between employer and employed would not be a very desirable occupation for that Department.

ARMY—CANTEENS.—QUESTION.

MR. R. SHAW said, he would beg to ask the Secretary of State for War, Whether the sale of wines and spirits in a canteen to non-commissioned officers and civilians (such canteen being licensed for the sale of beer only) is in accordance with the regulations relating to barracks; and, whether the Commanding or any other Officer has the power to authorize the sale of wine or spirits in any part of a barrack?

MR. CARDWELL said, he must answer the first part of the Question of the hon. Member in the negative, and add that any person selling in a canteen either beer or spirits and wine was obliged to take out an Excise licence, and could sell only those things which his licence covered. As to the second part of the Question, no Commanding or any other Officer on the home stations had the power to authorize the sale of wine or spirits in any part of a barrack without the approval of the Secretary of State for War.

POSTAL—MAILS TO THE UNITED STATES.—QUESTION.

MR. CRAWFORD said, he would beg to ask the Postmaster General, Whether he has any objection to lay upon the Table Copy of Letters from Mr. John Burns to the Secretary to the Post Office, dated the 9th, 10th, and 12th instant, in regard to the Cunard and Inman Contracts; and, whether any, and, if so, what arrangements have been made by Her Majesty's Government for the conveyance of the British Mails to the United States, in the event of those contracts not being ratified?

THE MARQUESS OF HARTINGTON said, in reply, that there would be no objection, that he was aware of, to laying on the table the letters which his hon. Friend asked for. As to the latter part of the Question, he had to state that he had not thought it necessary at present to make any arrangements in the case of those contracts not being ratified. In that event there would still be existing the contract with the North German Lloyd's Company, to convey the Mails to America once a week. Other companies had also made offers to carry those mails, but at present it had not been deemed necessary to enter into any arrangements on the subject.

MR. SCLATER-BOOTH said, he would beg to ask the noble Marquess, in reference to the answer he had just made, Whether it were true, as had been stated in the Debate the other evening, that the Government had given notice to the North German Lloyd's to terminate the Contract they had entered into?

THE MARQUESS OF HARTINGTON: No; it was stated the other night that, in a letter addressed to the Post Office, the Treasury suggested that it might be desirable to give such a notice, but I thought that, as the debate was about to come on, it would not be desirable to give the notice.

THE ROYAL PATRIOTIC FUND OFFICE.

QUESTION.

MR. LOCKE KING said, he would beg to ask the Secretary of State for War, On what day he will be prepared to answer the Question as to the defalcations by a clerk in the Royal Patriotic Fund Office; and, if he will now say what was the date of the last audit of the accounts?

MR. CARDWELL: Sir, a meeting of the Commissioners will be held about the middle of next month, and immediately after that meeting has been held I shall be ready to answer the hon. Member's Question. With regard to the second part of the Question, I have to state that the last audit was down to the end of the year 1866. The accounts, however, are ready to be audited down to the present time.

IRELAND—MAYNOOTH COLLEGE.

QUESTION.

MR. SINCLAIR AYTOUN said, he wished to ask the Chief Secretary for Ireland, On what day the Returns, ordered on the 8th of this month, with respect to the College of Maynooth will be in the hands of Members?

MR. CHICHESTER FORTESCUE: I am sorry, Sir, I cannot positively state the date when the Return will be ready to be placed in the hands of Members. Although it is a plain and simple one, some confusion has arisen as to which Department is bound to furnish it, and it has been found necessary to send over to Dublin for it. I trust, however, that the Return may be supplied without waiting for any further correspondence on the subject. As to the information itself, I think the hon. Gentleman will find that it is already before the House in the Report of the Maynooth Commission.

IRELAND—POOR LAW COMMISSIONERS.

QUESTION.

MR. W. H. GREGORY said, he wished to ask the Chief Secretary for Ireland, Whether any application has been made to the Treasury by the Irish Poor Law Commissioners for the deficiency in the amount requisite for the payment of the Medical and Education Charges under the Poor Law during the past year?

MR. CHICHESTER FORTESCUE replied that he was not aware that the Poor Law Commissioners had actually made the application.

INDIA—JHANSI PRIZE MONEY.

QUESTION.

MR. T. CHAMBERS said, he would beg to ask the Under Secretary of State for India, When the Jhansi Prize Money (second instalment) will be paid; and, whether there will be any prize money for Gwalior, Calpee, and other places in Central India captured by Sir Hugh Rose?

MR. GRANT DUFF: Sir, nearly the whole of the money known as the Jhansi Prize Money was paid away at the first distribution. Only about £10,000 was kept back to meet expected claims. Most of this reserved fund has now been paid away. If there is any further distribution it will be an altogether trifling one. The term Jhansi Prize Money includes all the prize money due for the booty captured by Sir Hugh Rose's force at Gwalior, Calpee, and other places in Central India.

CONTAGIOUS DISEASES (ANIMALS) (No. 2 BILL.—QUESTION.

SIR JAMES ELPHINSTONE said, he wished to ask the Vice-President of the Council, Whether the Government intend to proceed with the Contagious Diseases (Animals) (No. 2) Bill in time to give the House a fair opportunity of discussing it?

MR. W. E. FORSTER replied that he had originally put the Bill down for the first Monday after Easter, but as he had been informed that that day would not suit many Members, in consequence of the quarter sessions being held on that day, he had since postponed the second reading till Thursday, the 8th of April. It was certainly the intention of the Government to press forward the Bill this Session.

COLONEL BARTTELOT said, he hoped the right hon. Gentleman would postpone the second reading till the Monday following, instead of Thursday, as a large number of quarter sessions would be held throughout the week.

MR. W. E. FORSTER said, that if the Bill were to be postponed from time to time, it would be very difficult, considering the state of Public Business, to have it considered at all during the present Session.

HAMMERSMITH BRIDGE—UNIVERSITY BOAT RACE.—QUESTION.

VISCOUNT BURY said, he would beg to ask the Secretary of State for the Home Department, Whether he can give any information to the House as to the result of his investigation with respect to the state of Hammersmith Bridge?

MR. BRUCE: Sir, by the direction of the Board of Trade, this bridge has been minutely examined by a competent engineer, who was assisted in his examination by the engineer of the company to which the bridge belongs. The result showed that the bridge, although never a very strong structure, is fully as strong now as it has been at any previous time. As it has borne large crowds without any accident occurring, it has not been thought expedient to prevent its use on the occasion of the Oxford and Cambridge boat race tomorrow. Notices have, however, been posted that access will be limited to the footway; and, in addition to this, there will be a force of policemen, who will endeavour to limit the crowd to the footway, leaving the carriage way for the use of carriages only. It is believed that the bridge will be fully competent to bear that diminished crowd.

PARLIAMENT—RULES OF DEBATE.

QUESTION.

MR. BENTINCK: Mr. Speaker, I I wish to call your attention for a few moments to a point of Order which arose last evening on the second reading of the University Tests Bill—in reference to the right of the Mover and Seconder of a Motion for the adjournment of a debate to speak on the Main Question. It appeared to many Members of the House that the decision which you, Sir, then announced from the Chair was somewhat at variance with the practice of this House, as that practice is ordinarily understood. In calling attention to this question, I must state that I wish to show no disrespect whatever to you or the high office which you hold. Ever since I have had the honour of a seat in this House I have done my best to bow to all the decisions that you have announced, and to share in the admiration which has been expressed by the highest authorities as to the mode in which you have conducted yourself since you have sat in that Chair. The circumstances of the case are briefly these — After twelve o'clock last night my hon. Friend the Member for the University of Cambridge (Mr. B. Hope) moved the adjournment of the debate. He did not address himself to the Main Question, but simply moved the adjournment. Some confusion then arose, and, without rising from my place, I endeavoured in the most formal manner to second that Motion. The division was taken, and the Motion for the adjournment having been rejected, I proceeded to address myself to the Main Question, whereupon I was stopped by you, Sir, and was told that, having seconded the Motion in the manner I have mentioned, it was not competent for me to speak on the Main Question. These are the simple facts of the case, which can be corroborated by three or four of my hon. Friends near me, and I wish to ask you, Mr. Speaker, Whether, under such circumstances, I had or had not a right to speak on the Main Question?

MR. BERESFORD HOPE: Perhaps, Sir, in answering the Question of my hon. Friend you will also kindly inform me and the House what are the rights of a Member who has moved the adjournment of a debate. I have always looked on such a Motion as containing all the elements of a perfect Motion, and that if it passed in a short and informal manner it did so only by the connivance of the House. I may say that the Motion I made last night was pressed to a division against my own wish. The result of that Motion did not appear to me, with all respect to you, Sir, to be of the essence of the question, the essence of the question was the Motion put from the Chair. Of course, however, I did not raise any question last night, as you, Sir, had ruled upon the matter; but the House will, I am sure, be glad to know for its guidance what is the law on the subject.

MR. SPEAKER: I will answer the Questions of the hon. Gentleman in the order in which they have been addressed to me. After the hon. Member for the University of Cambridge (Mr. Beresford Hope) moved the adjournment of the debate the hon. Member for Whitehaven (Mr. Bentinck) said, in a very distinct tone of voice, that he seconded the Motion. The House declined to permit the adjournment; and after that the hon. Member for Whitehaven rose to address the House. Of late years there has certainly been a relaxation of the rule with regard to seconding Motions, partly for the convenience of discussion; but hon. Members will bear in mind that when there have been contests for the adjournment of the debate, if one Member has moved the adjournment of the debate, and another Member has seconded it, it is not competent for either the Mover or Seconder of such a Motion immediately to rise and move the adjournment of the House. That must be done by some other voices. It was on that account when the hon. Member for Whitehaven rose to speak I told him that, having seconded the adjournment of the debate, it was not competent for him to move the adjournment of the House or to speak on the Main Question. If he had power to speak on the Main Question he would have had power to move the adjournment of the House; but, having seconded the adjournment of the debate, it was not competent for him to speak until some other Member had moved the adjournment of the House. That is the reason for the judgment which I gave last night, and it is, I believe, in accordance with the practice of the House. With respect to the Question which has been put to me by the hon. Gentleman who moved the adjournment of the debate, I may observe that when the House is disposed that the debate should be adjourned, it is constantly the object and desire of the hon. Member who wishes to have pre-audience on the next evening to rise and move the adjournment of the debate, and such a Motion is generally acceded to even without being seconded, by the common acceptation of the House. But when the adjournment of a debate has been moved, and the House has declined to assent to the Motion and has divided upon it, the hon. Member who moved it and had an opportunity to address the House if he chose, has under those circumstances lost the power of addressing the House on the Main Question.

PARLIAMENTARY AND MUNICIPAL ELECTIONS—THE BALLOT.

MOTION FOR AN INSTRUCTION TO THE SELECT COMMITTEE.

MR. LEATHAM: Sir, before calling the attention of the House to the subject of the Ballot, I must express my regret that my hon. Friend the Member for Bristol (Mr. Berkeley), whose lieutenant upon this occasion I am, feels himself unequal at the present moment, through ill-health, to the task of bringing the question before the House with the necessary attention to detail. I hope that even before it shall have passed through this preliminary stage my hon. Friend may find his health sufficiently re-established for him to resume his old position, and to crown with his own hands the work upon which for many years he has bestowed indefatigable labour. I think that we shall all hail the return to the front of a champion whose strokes were always playful, and who at a time when the Ballot was probably the most unpalatable question which could be brought before the House, invariably contrived, by the flow of his genial humour, to impart a relish to it. Sir, I fear that I cannot emulate the sparkling fancy of my hon. Friend; but I can, at least, emulate the spirit of fairness and courtesy which distinguished his speeches, and I hope that when I sit down it will be in the power of no opponent of the Ballot to say, however much the question may have suffered in advocacy, that the discussion has suffered in tone. For, Sir, I wish it to be understood at the outset that I am not bringing this question before the House as a party question. It is clear to my mind that, in a strictly party sense, neither party has anything to gain from the Ballot. The evils which we believe that it is calculated to check are equally inimical to the interests of both parties in the country; and I am sanguine enough to believe that before long men of both parties will acquiesce in the expediency of adopting a measure which is our only probable escape from them. But, Sir, if the Resolution which I am about to move is to be regarded as in no degree offensive in intention to hon. Gentlemen opposite, it must be accepted as equally friendly to Her Majesty's Government. No one could have been more pleased than I was with the speech which a few days ago was made by my right hon. Friend the Secretary for the Home Department, and, as the House well knows, many other Members of the Administration—I think the majority—have already expressed an opinion in favour of the Ballot, while the remainder, in their recent utterances, have certainly not displayed that inveteracy of repugnance which would lead us to infer that their minds are hermetically sealed against argument and persuasion. I rejoice at this, because I do not believe it possible for any Liberal Government to occupy that Bench for a twelvemonth which does not make the Ballot a Cabinet question. But it may be said the question is already in the hands of the Government; why cannot you leave it there? The question is not in the hands of the Government, but of an impartial Committee of this House. I know that we have assented to the appointment of that Committee. It may be open to doubt whether the great question of the Ballot was one which ought to have been referred to a Committee at all, especially in conjunction with a number of other questions more or less irrelevant. But it is too late to discuss the policy of this course now. All I wish to say is, that we did not assent to that Committee in order to stifle discussion, in order to shelve this whole question without debate for another Session of Parliament; but many hon. Members assented to that Committee simply in order that those who were manifestly praying for more light might receive it. This is not one of those crude, undebated, ill-digested questions which we are in the habit of referring up-stairs, and then waiting patiently until the Report comes down. It is regarded by many Members of this House, and by vast numbers of persons in the country, as a question of vital and urgent importance — one with regard to which this House does not abdicate its right of deliberation to any Committee for a single hour. And it has reached a stage when free discussion is essential — discussion out-of-doors, discussion, if you will, upstairs, but especially discussion in this House, the debates of which exercise a most material influence upon public opinion in the country. Now, those who have assented to this Committee are disqualified from opposing the introduction of the Ballot, on the ground that the Legislature has recently passed a measure which was adapted to put an end to the evils against which the Ballot is directed, because by appointing this Committee they have admitted the insufficiency of that statute. And evidence of this insufficiency is afforded by the universal chorus of congratulation in which at this moment the whole tribe of electioneering agents exults. Even if it were possible to construct a harmony of the Judges, just as we have constructed a harmony of the Gospels, what would such an encyclopædia of wisdom be but a handbook to the science of bribery and intimidation? Does anybody who has read the recent decisions doubt the possibility of sailing completely through the Act of last Session? No doubt the navigation in some parts will be intricate, but the intelligent navigator, armed with the judicial chart, will have no difficulty in threading the passage. Why, Sir, the Judges, when they have completed their labours, will have buoyed the channel from end to end. So much for the efficiency of our measure in putting a stop to bribery, intimidation, and treating. But I shall be told, perhaps, that the Ballot will prove equally delusive. No doubt the perverse ingenuity of man will at times evade all your precautions; but the question is not, will the Ballot put an end to bribery and intimidation, but whether it will not heap discouragement and obstacle in their way. In proportion as the bargain becomes less secure there will be less inducement to make it. The intimidator himself will tremble when he reflects that the victim of his coercion has a safe and sure revenge. You might as well discard the use of locks and bolts—because the perverse ingenuity of man can pick or force them—as discard the precaution of the Ballot on the ground that picklocks and crowbars are still left in the hands of the thieves and robbers of the Constitution. But this question will be settled by an appeal to facts rather than to theories. Our opponents go on arguing just as though the Ballot were a bold experiment of the political empiric. The Ballot is not a conjecture, it is a fact. The Ballot is a success. So far is it from being an innovation, that yours is almost the only free country where it is not an established institution. The moment a nation becomes free it takes to the Ballot as naturally and heartily as it takes to liberty itself. The other day a great country in the south of Europe became free. It threw off a yoke so odious and yet so long endured that men began to wonder, not only at the patience of their fellow-men, but at the long-suffering of Heaven. This newly-enfranchised nation had to choose the form of government under which it meant to live. The passions and prejudices of centuries, inflamed to the utmost by religious rancour, embarrassed and embroiled that choice. The people who had to make it had grown positively grey in the ways of violence and discord —they were children in those of liberty and order. They made their choice by Ballot. Let me read to the House the testimony of an eye-witness, of one who appears to have been no enthusiast about the Ballot, and who was communicating his impressions to a great leading journal which has never been enthusiastic about anything. Writing from Madrid, he says—

> "I have never heard a Spaniard speak of an election in his country except as of a disreputable farce. In order to satisfy myself about the grounds for this general distrust, I attended yesterday at one of the polling places, and I must say that to all outward appearance anything more fair and exemplary than the proceedings of a Spanish election I have never seen."

The spectacle of order presented by Madrid was, with very few exceptions, presented by the whole Peninsula. And what happened in Spain has happened in the case of every nation which has become free. Its freedom has been sealed by the Ballot. The country which achieved liberty immediately before Spain was Prussia. The whole nation was enfranchised after Sadowa, and as a necessary seal to their enfranchisement they have the Ballot. Retracing the history of freedom in Europe, the next name which we find upon the roll of free nations is Sweden, then Italy and the Netherlands, then Belgium and Greece. All these have the Ballot. Even Austria and France—nations which as yet have only contrived to get glimpses of freedom—have the Ballot. There are three great countries in Europe still without the Ballot — Russia, the last stronghold of mediæval serfdom; Turkey, the outpost of barbarism in Europe; England, the fortress of liberty throughout the world. But why follow the example of universal civilization? The Ballot is un-English. It was not un-English in 1526, when we find it in full operation at the election of the magistrates of London. Nor was it un-English in the days of the Stuarts. James I. attempted to strangle in its cradle British power in America in obedience to the will of Spain, and by the election of his creatures as officers of the Virginia Company. He was baffled by the Ballot, and hence British America. In the reign of Charles I. the king quarrelled with the great company of traders known as the Merchant Adventurers, because by Ballot they refused to elect, to their own destruction, his nominee as their deputy at Rotterdam. It was then that that Father of English liberty proceeded to make the Ballot un-English. I am indebted to a most able speech by Mr. Hepworth Dixon upon the Ballot for a State Paper, which I will read to the House. It is Charles I.'s Order in Council against the Ballot—

> "At Hampton Court, this 17th of September, 1637—His Majesty, this day sitting in Council, taking into consideration the manifold inconveniences that might arise by the use of Balloting boxes, which is of late begun to be practised by some corporations and companies, did declare his utter dislike thereof, and, with the advice of their Lordships, ordered that no corporation nor company, either within the City of London and liberties, or elsewhere in this His Majesty's kingdom, shall use, or permit to be used, in any businesses whatsoever, any Balloting box, as they tender His Majesty's displeasure, and will answer the contrary at their peril. Whereof, as well the Lord Mayor of the City of London for the time being, and all other mayors and head officers of corporations, as all governors, masters, and wardens of all companies in and about the cities of London and Westminster and elsewhere, are to take notice and see this, His Majesty's pleasure and commandment, duly observed."

But although Charles I. proscribed the Ballot, the use of it still lingered, after Charles I. was removed, within the walls of Parliament itself, and Commissions and Committees were frequently nominated under it. But, perhaps the House will be startled when I state that Members have been returned to this House by Ballot. Within the last few days Mr. Boyd Kinnear has presented us with extracts from a pamphlet in his possession, dated 1688-9, signed "N. T." and entitled "*Some remarks upon Government, and particularly upon the establishment of the English monarchy, relating to this present juncture; in two letters written by, and to a member of the Great Convention.*" I will, with the kind permission of the House, read part of one of these extracts. The writer says—

> "It is customary in the borough of Limmington in Hampshire, to elect by the Ballot. The manner is to give to every electing burgess (their number being limited and known) a different coloured ball for every competitor, each colour being respectively appropriated to the several competitors; as suppose there should be three candidates, each elector has three small balls given him, which he so manages as to keep only that in his hand which by its colour belongs to the person he intends to choose. This being inclosed in his hand, he puts it into a close box made for that purpose, leaving no possibility to anyone to detect what coloured ball he put into it. Thus, each having put in his ball according to his vote, the balls of one colour are separated from those of another colour, and so, according to the majority of balls of one colour, the return is made. This method I know to be of great advantage where it is made use of. It prevents animosities and distastes, and very much assists that freedom which ought to be at elections. No man in this way need fear the disobliging of his landlord, customer, or benefactor, for it can by no means be discovered how he gave his vote if he will but keep his own counsel. If this or some such device were appointed to be made use of in every borough all over the kingdom, I am persuaded it would abundantly answer expectation in the many advantages which would attend it."

And so a most material precedent has been established in our favour, and against the foolish cry of those who say that the Ballot is un-English. A few years before Charles I. attempted to make the Ballot un-English, the Ballot box was carried over in the *Mayflower* to America. I need not remind the House of the story of the Pilgrim Fathers, how, unable to endure the thraldom under which they lived at home, they left home, friends, country, fortunes, everything except those free institutions which no longer flourished in England, but which were borne by them into the unpeopled wilderness to flourish for ever beyond the sea. The Ballot was adopted by the free colony of Massachusetts in 1634. It was adopted by every other colony or State in succession in the order of their civilization — the New England States leading the way, the slave States bringing up the rear. I shall be told that the American Ballot is not a close Ballot, and in most of the States no doubt that is so. But why is it not a close Ballot? Because the relations between land and capital on the one hand and labour on the other there are such that the Ballot is no longer necessary; and the example of America shows how we may return to open voting under the Ballot the moment those conditions are removed which make the Ballot desirable. But there are other populations more nearly allied to our own even than the Americans who elect by close Ballot. In the colonies of Victoria, South Australia, Tasmania, and New South Wales, all elections take place by Ballot. Its adoption has been attended with the most signal and indisputable success. The first authority which I shall cite is that of my right hon. Friend the First Lord of the Admiralty (Mr. Childers). In the course of a speech upon the Ballot, in 1860—which was my right hon. Friend's maiden effort in this House, and which was full of that promise which he has since so amply redeemed—he thus expresses himself—

> "Ever since the first concession of representative institutions to Australia, vote by Ballot had been one of the measures of reform, agitated in the Colonies and their Legislatures. It was not, however, until the eve of the introduction of what is called 'Responsible' or Parliamentary government, that it met with general advocacy. About that time public attention was directed to the corrupt practices which there, as in this country, too frequently attended Parliamentary elections. The prevailing evil was not so much intimidation as bribery. . . . But bribery and treating, in the vulgar forms in which we know them, were rife in the town constituencies; and to check them, and at the same time to reduce the excitement and expense of contested elections, the Ballot was proposed. . . . The Ballot was not in Victoria as in England exclusively advocated by the popular or Liberal party, and opposed by Conservatives. On the contrary, some of its most strenuous advocates sat on the Conservative side of the House, and unquestionably its most formidable opponents were the leaders of the extreme democratic party. And to this, I think, much of its success is due. For not being a party measure, its details were honestly discussed, and settled by the ablest men in the House. . . . And what, Sir, has been the result? . . . Why, by the common consent of almost every public man who has seen its working, the Ballot has been thoroughly successful. It came into operation in the year 1856, when I was myself elected under its provisions. I cannot speak to the number of elections in other colonies; but in Victoria I understand that about 200 have taken place since that time. They have been dis-

tinguished by the almost entire absence of those practices which were previously so prevalent."—[3 *Hansard*, clvi. 788-90.]

Shortly after my right hon. Friend delivered this speech he gave evidence before the Select Committee on the Corrupt Practices Prevention Act. We are always having Corrupt Practices Prevention Acts, and Select Committees upon them — we are always washing our hands upstairs, but they are never clean. My right hon. Friend was asked by the Chairman, with reference to a constituency in Australia which had been notorious for bribery: "What was the result after the adoption of the Ballot as to that particular constituency?"—"I may say," replied my right hon. Friend, "that bribery became almost extinct there." "Was there treating also in the constituencies?"—"The treating used to be worse than the bribery, but treating in the towns became almost extinct." The right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) asked: "Was the intimidation of voters a common subject of complaint?"—"No; the intimidation talked of was rather mob intimidation. That is entirely done away with: the election is now conducted as quietly as a funeral." Contrast that with the scenes proved to have taken place at Drogheda. The Chairman next asked: "Is canvassing as keenly conducted as it was before you had the Ballot?"—"I think that it is not nearly so keenly conducted." The right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy) asked: "Have you the means of knowing whether the expenses of candidates have much diminished?"—"I should say that they have, very much, judging from popular rumour." Finally, after my right hon. Friend had given a great deal of evidence to the same effect, the Chairman asked him: "I understand you to say that you consider that that change in the mode of taking the votes has given general satisfaction in the colony?" My right hon. Friend replied, "I think it has given undoubted and universal satisfaction." Now, Sir, there is just one point in this evidence to which I would specially call the attention of the House in passing—namely, the effect of the Ballot on bribery and treating. This is most material to our case, because while almost everyone admits that the Ballot must check intimidation, there are those, as I shall show presently, who dispute altogether the fact that it will check bribery and treating. If the House is anxious for corroborative evidence as to the success of the Ballot in Australia, I am in a position to furnish it in abundance. But I am anxious as much as possible to economize the time of the House, and therefore propose to cite one more authority only. It may be said that when my right hon. Friend gave his evidence the Ballot had only been a very few years in operation, and that his experience only extended to the colony of Victoria. The evidence which I am about to cite is not only very recent, but refers to the colony of South Australia. Mr. Anthony Forster, late Member of the Legislative Council of Adelaide, published, in 1866, a most able and interesting work, entitled *South Australia; its Progress and Prosperity*. He says (p. 200)—

> "The operation of the Ballot in the Australian colonies has placed the constituencies beyond the suspicion of bribery and corruption. Speaking for South Australia, I may say that there has never been a question raised there as to the perfect adaptation of that mode of taking votes to all the requirements of the elections. Whilst one of the last elections for the city of Adelaide under the system of open voting was simply disgraceful, requiring the intervention of the police and almost of the military, the first elections under the Ballot were conducted with the utmost propriety and decorum. The contrast was so striking as to be a subject of general congratulation."

Now let me take a witness from quite a different part of the world. In an interesting book entitled *From the Levant*, published a few weeks ago, Mr. Arthur Arnold gives a description of a Greek election which he witnessed last year. He says—

> "No stranger would have supposed that an excited struggle for power had commenced when the poll opened. In no city with which I am acquainted are politics so generally the subject of conversation. The people are by temperament most quarrelsome, and you will expect, as I did, that a Greek election would be at least as riotous as a similar ceremony in Ireland. On the contrary, English people do not go to their churches and meeting-houses in a more orderly manner than the Athenians did to the poll. And it cannot be doubted that this remarkable absence of anything approaching disorder was due to the mode of election—the Ballot. With the vote by voice in Athens, after the English manner, we should certainly have seen the Greek capital full of bloodshed. Every other man in Athens and in the Greek provinces every man is armed with weapons not slow to take life."

Now, Sir, before I leave this part of the subject, let me remind the House that what is virtually the Australian Ballot has been resorted to in this country upon more than one occasion with marked success. "When the Maryport Improvement and Harbour Act was applied for in Parliament, in 1866, the promoters sought power to secure voting by Ballot at the election of trustees, that being the method of voting which had been practised in the town since 1833, when the first Act was obtained. When this clause of the Bill was brought before Lord Redesdale his Lordship drew his pen through it, and wrote on the margin, "I cannot consent to this fanciful legislation;" but the promoters made out such a good case in favour of the mode of voting which they had hitherto been accustomed to, that a compromise was effected, by means of which the promoters of the Bill obtained legislative sanction for the continuance of the Ballot; for, although the Act established open voting, a proviso was added that open voting should not be practised until the ratepayers found that the Ballot did not answer. Thus the Ballot continues at Maryport. The votes are taken upon the Australian system, and the Ballot at the trustee elections is held in high estimation. This opinion is not confined to people who advocate the adoption of the Ballot at Parliamentry elections; on the contrary, many of those who speak so highly in its praise are genuine Tories. They would not have the Ballot introduced into Parliamentary elections, they say; but in these local contests they freely affirm that they could not arrive at a just estimate of the opinions and wishes of the electors without secret voting. There are so many people in positions in which they would fear to incur the displeasure of their customers or employers by voting against them, or giving offence to friends that, on every side, it was confidently asserted that, if the Ballot were not in use at Maryport, but a very small proportion of the people who now vote so freely would come to the poll at all." The only other instance of an English Ballot with which I shall trouble the House, occurred the other day at Manchester. It was a test Ballot, to decide the relative claims of two candidates belonging to the same political party. Of the entire success of the experiment the whole London Press bore witness. The utmost order prevailed, although the contest was a very keen one. I need only say that having been present both at the polling booths and at the declaration, it is impossible to over-rate the efficiency of the machinery employed, which was a modification of the Victoria system. The representative of the leading journal says—

> "There were many critical observers of the whole process, but no one has yet suggested a loophole for fraudulent evasion of the rules, unless it was by the very difficult and probably useless attempt to conceal a card and carry it away, and thus prove, at all events that no vote had been given by the person who obtained it."

Well, Sir, against this array of facts, all tending to prove that the Ballot is practicable, and that it is in the highest degree salutary, we have to set the speculations and arguments of theorists. In the first place, we are told that the Ballot will not defeat the ends of bribery and intimidation, because a sense of moral rectitude will restrain men who have promised from corrupt or fraudulent motives to vote in a particular way from voting in any other way when the vote is secret. We are told that it is a venial thing to vote against one's conscience, but a crime to break the immoral promise to do so. There is shame and remorse for us in the latter case—there is only mortification in the other, and so the immoral promise must bind, but the violated conscience may take care of itself. Sir, I wonder where some people pick up their morality? What casuist affirms that a wicked or immoral promise is binding? or that any engagement to do wrong is paramount to the eternal obligation to do right? Is there any hon. Member who seriously doubts that the coerced elector will soon discover this, and act accordingly? But we are told that the Ballot would lead to lying. Whether is greater—the lie in the words, or the lie in acts? Sir, I have read with great attention the arguments of a great writer who recently had a seat in this House, and who will always have a place in the respect of Europe. I think that it will be admitted upon all hands that the argument adopted by Mr. Mill could not possibly have been more strongly stated than it has been stated by him. Indeed, he has bestowed so much care upon the exact shape into which this argument has been thrown, that he seems scarcely willing to trust himself—he, who is so great a master of expression—with any other form of words by which to convey his precise meaning, and in his work on *Representative Government*, has re-produced the argument in the very terms in which it is stated in his pamphlet on *Parliamentary Reform*, because, as he says, "he does not feel that he can improve upon them." If, therefore, we can show that an argument so fully considered, and so carefully drawn, is unsound, it may be taken, I think, that the case of our opponents has collapsed. Now, no one regrets more than I do the absence of Mr. Mill from the seat which he adorned in this House. I regret it especially to-day, because his presence would have guarded me against the possibility of misrepresentation; but in his absence it will be with a peculiar anxiety that I shall guard myself. Well, Sir, Mr. Mill not only lays down a line of argument, but he makes a great admission. I will endeavour to deal with the admission first and the argument afterwards. The admission is practically contained in these terms — that if the state of things which existed in this country thirty years ago existed now, he would still be in favour of the Ballot. He says—

> "Thirty years ago it was still true that in the election of Members of Parliament the main evil to be guarded against was that which the Ballot would exclude [note in passing this testimony to the efficacy of the Ballot] coercion by landlords, employers, and customers. At present I conceive a much greater source of evil is the selfishness or selfish partialities of the voter himself. A base and mischievous vote is now, I am convinced, much oftener given from the voter's personal interest or class interest, or some mean feeling in his own mind, than from any fear of consequences at the hands of others, and to these influences the Ballot would enable him to yield himself, free from all sense of shame or responsibility."

Sir, in one sense it is a great misfortune that Mr. Mill is cut off by the very rigidity of his principles from those sources of information which are open to less scrupulous men. If Mr. Mill had personally canvassed the great constituency which has just failed to appreciate his services at their true value, I cannot but believe that he would have re-written the whole passage which I have read. And what is the whole system of canvassing but an elaborate scheme of coercion—coercion by landlords and agents, coercion by customers, coercion by the men of a man's class or clique or sect? In how many thousands of instances may a man's vote be mathematically described as the resultant of divergent forces acting in the same plane, and all of them illegitimate; or the neutrality of voters as a statical couple, when the two forces exactly balance one another? But perhaps I shall be asked, where are the evidences of this pressure? Why, are not the newspapers filled with the complaints of men who have been coerced? Because it is the province of intimidation not only to strangle opinion, but to strangle it in silence. The hand which is strong enough to stifle it, stifles its cries. There is no offence committed by one man against the liberty of another which is so difficult of proof. What little self-respect remains to the man who has been coerced suggests every possible excuse for the base vote, except the shameful one that he is no longer master of his own actions. Men are thus made accomplices in their own dishonour, and with their own hands efface the evidences of the violence to which they have succumbed. An instance in point was brought to my notice the other day which, if it were not so pitiable, would be infinitely amusing. Four tenants upon an estate in a Scotch county promised with alacrity, and some of them with enthusiasm, their votes to one of the candidates at the last election. They were summoned to two meetings at the landlord's house, and there they were plied with such irresistible arguments that they came in a body to withdraw their pledges. But the point to which I wish to draw the attention of the House is this, that subsequently these four men—though every neighbour they had knew that they had been coerced—signed a paper to the effect that they had not. But, Sir, it is not only intimidation of this character, or the intimidation of workmen by masters, like that of Mr. Harrop at Westbury, which we have to deal with—this is a many-headed monster. We have to deal with the intimidation of mobs like that at Drogheda — where the Judge said, that beyond all doubt a system of organized intimidation and outrage prevailed on the part of agents or friends of the sitting Members which deterred supporters of the opposing candidates from recording their votes. And we have to deal with that form of mob intimidation which was practised the other day at Blackburn. Now I have no hesitation in alluding to the Blackburn case, because I have just heard the issue of the Petition, which has terminated in the unseating of both Members petitioned against. The facts, therefore, which I am about to state may be taken as proved. After the publication of the result of the registration, I am informed that the following Circular was issued:—

> "Dear Sir,—At a very influential meeting of the Conservative party, held at the Registration Rooms, Clayton Street, on the 8th instant, for the purpose of making arrangements for securing the return of Messrs. William Henry Hornby and Joseph Feilden as the representatives of the Parliamentary borough at the ensuing election, the gravity and importance of the crisis in our national history at which this election occurs was very prominently referred to, and it was decided that all millowners and their managers and overlookers, and all master tradesmen and others possessing influence should be strongly urged to exert that influence, so as to secure in the municipal elections as well as in the Parliamentary, the success of the candidates who adhere to the constitution in Church and State," and so forth.

Now, what followed the issuing of what is now known as the Blackburn "Screw Circular?" The days immediately succeeding the municipal election, and immediately preceding the Parliamentary election were marked by a series of outrages which drew upon Blackburn the attention of the whole country. On Tuesday morning, November 3rd, by a simultaneous movement, the operatives in at least half-a-score of factories expelled from the rooms their Liberal fellow-workmen to the number of several hundreds. These expulsions were aggravated by many gratuitous outrages upon the persons of obnoxious individuals. Even women were kicked, hustled about, their hair and clothing torn, and otherwise maltreated. Masters and managers when appealed to, with but one or two exceptions, refused to interfere; in some instances with slight expressions of regret and disapproval, and in others with curt discourtesy. In scarcely a single instance was a remedy afforded to the aggrieved parties, not even the customary notice of discharge. Now, I make no comments upon this Blackburn intimidation, for the obvious reason that I did not bring the question before the House as a party question, and that I should scorn to make political capital for my party out of the narration of atrocities which I am sure hon. Gentlemen opposite must condemn equally with ourselves. But it is not merely intimidation of this remorseless and lawless character with which we have to contend. There is a kind of undue influence which is infinitely safer, equally efficacious, and all but universal; the coercion which is subtle and impalpable, which never commits itself; which I may describe as being in the air, a deadly but invisible miasma. This is a species of intimidation which exists even in the face of elaborate assurances to the contrary—in the face of notices posted up in conspicuous places, to the effect that the tenants or the workmen, or the employés, are at liberty to vote as they please. But the tenants and workmen know better. They know that if they vote as they please they will become marked men, and men not marked for special indulgence. The tenant knows that in all probability that barn will not be built, and that there will be difficulty about the rent. The workman knows that if he votes against the master his next oversight will be followed by dismissal, and the next feast of St. Monday by a penitential Tuesday, and so these men vote as it is prudent to vote; and because the law is not broken, because there are no open menaces—nothing vulgar or ugly—everybody is delighted with the high-minded generosity of the master and the squire—I say generosity, for if a man in the position of landlord refuses to canvass his tenants personally or by his agent, it has come to this, that such conduct on his part is regarded, not as the necessary result of the least spark of gentlemanly feeling, but as the most signal proof of virtuous forbearance. But there is a form of intimidation more subtle even than this—a form of intimidation which exists in the imagination of timid men, and which very possibly is the result of a false inference. Let me give an illustration or two taken from what occurred at the last election. Hon. Members will be aware that at the city of Carlisle there are large railway works. At the last election 157 men who were voters were employed at those works. One of the candidates was a railway director. Of these 157 men, 139 plumped for the director, three split their votes, and fifteen voted against him. Now take a county. I have here an analysis of the polling at more than a dozen little centres of population in a county constituency not 100 miles from London. First, we come to a village, the chief resident being a member of the Conservative committee. The votes polled were 21—19 by the Conservatives, and 2 by the Liberals. Then we come to a small town; the chief resident a leading member of the Liberal committee. Votes polled, 57—Liberals, 45; Conservatives, 12. Then a town, the chief resident a nobleman, who, my informant states—I know not upon what authority—is at present out at elbows with his party; the steward a Conservative. Votes polled, 127 — Conservative, 93; Liberal, 34. Then a village; chief resident, a Liberal Baronet, whose predecessor was a Conservative. Votes polled, 65—Liberal, 49; Conservative, 16. At the previous election, when the Conservative predecessor was alive, the votes polled were 48—Liberal, 20; Conservative, 28. Then a village; the chief resident a convert to Liberalism. Votes polled, 45—Liberal, 31; Conservative, 14. At the previous election, before the conversion, the votes polled were 35—Liberal, 14; Conservative, 21. Then we come to two adjacent villages; chief resident, one of the Conservative candidates. Votes polled, 27—Conservative, 25; Liberal, 2. Then to two adjacent villages; chief resident, a Liberal Peer, the relative of one of the Liberal candidates. Votes polled, 53—Liberal, 36; Conservative, 17. Then to two adjacent villages; chief resident, the chairman of the Conservative Committee. Votes polled, 44—Conservative, 37; Liberal, 7. Then to two adjacent villages; chief resident, one of the Conservative candidates. Votes polled, 118—Conservative, 82; Liberal, 36. Of the 82, 36 plumped for their candidate, but not until near the close of the poll, thus helping to throw out the other Conservative candidate. Then we come to two adjacent villages; chief resident, a Liberal Peer, the relative of the other Liberal candidate. Votes polled, 71—Liberal, 62; Conservative, 9. Then to a village; the chief owner a non-resident Liberal Peer. Votes polled, 22—Liberal, 19; Conservative, 3. See how this man is respected in his absence. Then to a town parish; chief resident, a Conservative Peer, formerly Member of Parliament for the county. Votes polled, 55—Conservative, 47; Liberal, 8. Then to a village; chief resident, a nobleman's son, formerly Conservative Member for the county. Votes polled, 50—Conservative, 34; Liberal, 16. Lastly, we have a village; chief resident, a gentleman who aspires to be a Conservative candidate. Votes polled, 33 — Conservative, 27; Liberal, 6. Now none of these figures include split votes. I respectfully commend them to the attention of Mr. Mill. Does he think that votes are thus swept up, and not only swept up, but swept backwards and forwards with every change of ownership, without the presence in the mind of the voter of that "fear of consequences at the hands of others," which existed thirty years ago, and the existence of which then made the Ballot the lesser evil? Now, Sir, it is very possible that Mr. Mill may say that his arguments referred to a different situation from that which exists, and that the wide extension of the suffrage which has since taken place to men in dependent positions, by immeasurably extending the area over which intimidation may be applied, has virtually restored that state of things which existed thirty-nine years ago, and under which the Ballot is the lesser evil. If this be so we shall be delighted to hail his return to our ranks; but, in the meantime, we are compelled to deal with arguments which have never yet been withdrawn. I have endeavoured to show that a state of things exists under which it is expedient to adopt the Ballot even if we must admit that its adoption will be attended by the evils anticipated by Mr. Mill. I will now endeavour to show that it will not be attended by those evils. What are those evils? Mr. Mill says that—

> "People will give dishonest or mean votes from lucre, from malice, from pique, from personal rivalry, even from the interests or prejudices of class or sect, more readily in secret than in public."

Now, I maintain that the interests and prejudices of class or sect would dictate the vote more generally under public voting than they would under the Ballot, for a man's class or sect is his public; and even if he be desirous to vote above these petty and sordid considerations, the displeasure of his class restrains him. How does Mr. Mill think that the saw-grinders would vote under open voting when the selfish interests of the saw-grinders were at stake? Even the extreme case put by Mr. Mill of a majority of knaves restrained from repudiation by the difficulty of looking an honest man in the face afterwards may be disregarded, because repudiation is never resorted to in a civilized community without reasons so plausible that they govern public opinion, and so rob it of public disgrace; and even if this were not the case, the man who votes with a majority screens himself behind a multitude. I must strike out private malice and pique, too, for we are not a nation who care to stab in the dark. More than half the pleasure of revenge is to think that our victim knows the hand from which the blow has come. Give the Ballot and you will blunt the weapon at once. Nor need we regard the assertion that the voter may vote from feelings of personal rivalry, for it can only apply to the very limited class out of which Members of Parliament are chosen, and it is to be hoped, for the honour of our class, to a very limited fraction of that. There only remains, then, as the inducement to vote meanly—lucre; and Mr. Mill thus raises the whole question of the Ballot in its relation to bribery. It has been contended that the Ballot would act as a check upon bribery, because the briber would never know that he had value received, and because the voter could take the bribe, and then please himself, as indeed in a multitude of cases he does now, under open voting; for example, the Yorkshireman who sold his gamecock for £7 to a supporter of Mr. Ripley's, though he assured him any other cock at 1*s.* would answer his purpose as well, and then, having pocketed his £7, went and voted for my right hon. Friend the Vice-President of the Committee of Council. But the idea is, that the man who does not respect his conscience will respect his bargain, and that the rogue who has been bought will vote as faithfully for the rogue who has bought him in the dark as in the daylight—an idea of the supremacy of conscience among rogues which, to my mind, is ludicrous in the extreme. But I understand Mr. Mill to contend that the Ballot will positively encourage bribery, because men will take bribes under it who would be ashamed to do so if their votes were known, their previous predilections being known also. Possibly there may be isolated cases of this character, although bribery is always a secret transaction, but such a possibility is far outweighed by the certainty that under the Ballot that most outrageous species of bribery known as half-past three o'clock bribery will positively cease, because the relative position of the candidates upon the poll cannot be known, and, therefore, all the data which govern the half-past three o'clock market price of votes will be absolutely wanting. Take the recent case of Norwich as an illustration of what is meant by half-past three o'clock bribery. I will give it in the words of the Judge—

> "The election took place on the 17th November. Up to the middle of the day everything seems to have gone on honestly. About the middle of the day there was a considerable majority in favour of Mr. Tillett and the other gentleman who stood with him. Between three and half-past three, in No. 3 ward, there were forty votes polled for Sir Henry Stracey. Between half-past three and four the number was 121. In No. 6 ward, between three and half-past three the number voting for Sir Henry Stracey was forty-three; between half-past three and four it was 103. In No. 7 ward, between three and half-past three sixty-six votes were recorded for Sir Henry Stracey, and between half-past three and four 123 voted for him. It is further proved that in three public-houses at least—and it may be in many more—there were a number of men of the lowest class of voters waiting and on the 'look-out,' according to the expression of one of them. I have not the slightest doubt that these men were collected in these public-houses waiting to be bribed. I have not the slightest doubt that they were bribed, and that the great proportion of that low class of voters who voted in the afternoon of that day, between half-past three and four, were bribed voters."

So much, then, for the argument that the Ballot will tend to encourage bribery; and, bear in mind, our experience in Australia is an ample confirmation in fact of the conclusions of reason. I have now endeavoured to show that the evils supposed to be incident to the Ballot will hardly exist. I have also shown the magnitude of those evils which do exist under open voting, but which the Ballot is calculated to remove. In conclusion, let me endeavour to deal with an argument which in wildness transcends anything which even the inventive ingenuity of our opponents has devised —the assertion that, if the vote be made secret the voter will naturally infer that the vote is his absolutely—his to do precisely what he likes with as much as the money in his pocket—his to barter for any private advantage—his to sell to the highest bidder—his to use in the promotion of the greedy interests of his class. This is the "false and pernicious impression" which Mr. Mill expects the vote by Ballot to make upon the mind of the elector, and the inference of course is, that instead of voting for the general good, for his party, for his colour, for the candidate of his choice, for anything which men vote for now—when he finds himself alone with his conscience he will stifle it. Or this argument is based on the hypothesis that a man's conscience is a thing outside him, something which he borrows from the public and leaves in the ante-room of the polling-booth with his umbrella. It is certainly based upon the hypothesis that the voter never reads the newspapers, never listens to the candidates' speeches, never discusses politics with his friends; that, in fact, from the dissolution of Parliament to the day of polling he is shut up in the Ballot box, for he can do none of these things without being reminded at every turn that as an elector he is the guardian of great principles, and that the very reason why the State secludes him at the moment when he performs this sacred trust, is that she may leave him alone with his responsibility. But says Mr. Mill, if the public is entitled to his vote, it is entitled to know his vote. Unquestionably in one sense it is, and know it it will, along with that of all his neighbours, at four o'clock. It is the decision of the majority that the public is concerned with. The public is much too great a personage to interrogate every individual elector and to criticize his vote. It cannot descend to such details; and if it could, it would abstain. The public itself although it has a right to demand that the vote shall be given in its interest, is in doubt upon the truth of the very principles which in the persons of the candidates are striving for the mastery. The public is divided in its own mind, and at the very moment when it would pretend to criticize my choice, it is dependent upon my choice, among many, for the way in which it is finally to make its own. If, therefore, this halting, expectant, irresolute creature—the public, is by the very nature of things incapacitated from deciding upon the propriety of my vote, is it not a gross intrusion for it to step in and say—"I cannot trust you to vote for me unless I watch you, although I do not know as yet what voting for me means?" The fact is, that our opponents mistake the knot of persons by whom each voter is surrounded for the public. I demand the exclusion of this knot of persons, in order that he may see the real public which stands beyond. The public which stares the philosopher in the face in his closet with such intensity of expression that he can see nothing else, is absolutely shut out by the voter's *entourage*. Put the voter into a closet, and he may see what the philosopher sees. At present he sees his landlord with startling distinctness; he studies every line in the frown of his displeased customer; the sawgrinders' deputy peers round the corner at him. All these are realities. But the public which is on such easy terms with the philosopher is to him a distant and retreating shadow, armed neither with horse-pistols nor notices to quit. It is in the interest of that public that I speak. This is the public which you leave with the juryman when that other public is shut out. Why do you isolate the juryman? That he may consider the verdict his to sell to the highest bidder, or his to render to his country and his God? Do for the political juryman what you have done for the judicial one. Show him and those about him whose the verdict really is. When the squire is not by, and the priest is not by, and the agent and overlooker are not by, and the secretary of the trades union is not by, and all a man's customers are not by, perhaps the idea may grow up among them—the idea which has hitherto presented itself in a feeble, hesitating shape—the idea which your open voting has done its best to encourage for centuries—the idea that they are not entitled to his vote. This is the idea which I wish to see established—the idea that the vote is so sacred a thing that even a man's bosom friend has no right to meddle with it—that it is an affair of his secret conscience—a trust not only for the public, but for Him who made the public, who is infallible and just, while the public is full of error, prejudice, and passion. Enact the Ballot—establish this idea, and you will clothe, for the first time, with a sacred inviolability that which is not only the foundation of this great House of Parliament, but of the whole structure of the liberties of England. And now I fear that I have trespassed so long upon the patience of the House that I have left myself but little claim to speak to my Motion. I hope, however, that it is one which will commend itself at once and without argument to the judgment of the House.

The House is no doubt aware that there are marked differences, both in principle and detail, in the mode in which the Ballot is taken in the various countries in which it is in use. Your Committee will, no doubt, examine witnesses from these countries to show the efficacy or otherwise of the Ballot. It will not add to the expense or labours of the Committee to examine the same witnesses with regard to the actual machinery by which the Ballot is taken. If the Committee should report in favour of the Ballot, the information thus acquired will enable us to legislate at once with all the details before us. [If, on the other hand, the Committee should report against the Ballot, then details cannot fail to be useful to those who will discuss this question afterwards—for do not let any hon. Member go away with the impression that whatever may be the Report of the Committee this question will be allowed to drop. For these reasons, therefore, Sir, I beg to move the Resolution of which I have given notice.

Mr. HARDCASTLE said, that, in rising to second the Motion, he would offer no apology for doing so, as this was a question in which he took a strong interest—one, in fact, for which he had given his first vote twenty years before. He regretted now to see very few faces of those who then went into the Lobby with him. At that time, the question was considered to be one of great interest by all electoral reformers; but since that time, and up to the present, it had sunk considerably in public estimation. During the slack water later years of Lord Palmerston's Government, the Ballot fell very much in public estimation, but the last General Election caused it to resume all its original importance. If he wanted any evidence of the fact, he had only to refer to the Committee which had just been appointed. He agreed with his hon. Friend, who had proposed this Motion, that it was unnecessary to regard the Ballot as a party question. At the same time, when he remembered that all the influence of one description which could be exercised on a Parliamentary Election was territorial influence, he could not expect that the Ballot, or any other system of voting which was calculated to lessen that influence, would be received with much favour on the other side of the House. That was not the case, however, in other countries, for in a pamphlet, published by the First Lord of the Admiralty, it was stated that in the colony of Victoria the Ballot was regarded with favour by the Conservatives, whilst open voting was preferred by the Democrats. The power of voting in this country was conferred on certain classes, classes which had lately been very much enlarged. The members of those classes were not compelled to exercise their franchise, so that the power of voting could not, in the strictest sense of the word, be looked upon as a trust; no doubt, it was a moral trust, but not a legal one, to the exercise of which any legal responsibility was attached. Being, however, a moral trust, anything that interfered with its free exercise must be at variance with the spirit of the Constitution, and they had to ask themselves under what circumstances could a man vote freely. When he spoke of voting freely, he meant when a man voted according to his own unbiassed convictions, or as the result of legitimate persuasion and argument addressed to him by others. Now, any detail of electoral practice which interfered with either of those alternatives must be injurious to the freedom of voting. They had then to ask whether open voting, which was, in fact, only a detail of voting, did or did not interfere with those conditions; and he thought it was absolutely unavoidable that they should answer that question in the affirmative. He did not think it necessary to refer to anything beyond the events of last year to prove his affirmative. What had they not seen during the last General Election? Was it not manifest that workmen always voted with masters, tenants with landlords, and shopkeepers with customers? There was one explanation of this state of things as between the ruling and the subject classes, and that was that the latter so voted because they could not help it. If this was the case, it was a disgrace and a danger to our representative system, and, he believed, would be ultimately fatal to it. They had tried many remedies, and only one remained to be tried—namely, secret voting. Two forms of influence were prevalent in all elections, one addressed to the hopes, and the other to the fears of the voter; and those influences were known as bribery and intimidation.

Which of these two was the worst? Clearly intimidation, because bribery could only be exercised on the dishonest, whilst intimidation might be applied to every member of the constituency. This was his belief, and he thought he should be able to justify it. With secret voting the first of these influences, bribery, would be greatly diminished; and the second, intimidation, would entirely disappear. It was true that men might still be bribed in batches; but for one person who would be willing to bribe in batches under the Ballot, ten would be willing to bribe in batches under open voting. But there was another kind of bribery to which he must allude—namely, what was familiarly known as the half-past one o'clock bribery, which, in his opinion, would be destroyed, because under secret voting the state of the poll at that hour could not be known. A cheque for £200, changed for half-sovereigns at Norwich, to which his hon. Friend had referred, would not have been cashed if the persons bribing were not aware that the opponents were neck and neck; in short, bribery would be seriously damaged by the Ballot, and intimidation would be entirely effaced. He thought that this could not be too strongly stated—that bribery could only act on the dishonest, whilst the more honest the voter the more likely was he to be influenced by intimidation. They must remember that conscientious voting was the very salt of the electoral system. He believed that if it were possible to ascertain in what way the House could be constituted so as to secure the best of all combinations of parties—and to secure that votes should be so given as to effect that combination, still if the votes given for that purpose were given under undue influence the purpose must fail, the state of our Constitution would be dangerous, and its freedom must ultimately fall away. With this belief he urged the adoption of secret voting; but there were two questions to which he must address himself for a few moments. One was, could they get a plan to make voting really secret? and the other was, was the present the time that that plan should be adopted? His hon. Friend had referred to the several forms of the Ballot that existed in foreign countries. He had told them that the Ballot was in force in every country in Europe, except Russia and Turkey. He (Mr. Hardcastle) was not going to trouble the House with all the details, but he should like to refer to the manner in which the Ballot was worked in a neighbouring country. He selected France, because they were told that in that country the edifice of liberty was not yet crowned, nor was it likely to be for some time. The Ballot laboured under great disadvantages in that country, and yet it was remarkable what results it produced. In a pamphlet—about the accuracy of which there could be no question—the writer said that the Government named the candidate for every district, and even the placards and announcements were under the control of the Emperor. The placards were not like our election posters, but were official documents, signed by the *prefet* or his deputy, and those *prefets* and deputies and all the *maires* of communes and villages were appointed by the Government. Those officers had to approve of every address of a candidate before it was published, and all the preliminary proceedings were arranged under their orders. The police, the gendarmes, and other subordinates in their employ were used to canvass for the official candidate, and when the election took place the polling places were surrounded by those officials, who gave every possible obstruction to the candidate of the Opposition. In spite of all that, however, Paris and Marseilles were entirely represented by Members of the Opposition; let him ask, what chance would such men have had had there been open voting? Some reference had been made to Spain, and he should like to read one or two sentences descriptive of an election in that country, because it showed that in that country, and in times of great political excitement, the Ballot could be exercised in the most peaceable manner. The writer said that he went to the Ateneo, a kind of political club, where he found the President sitting with four secretaries, and each voter came in and gave his vote without the slightest ceremony, and went out as quietly as he had come in. He did not exactly know how the voting was carried on for the North German Parliament further than that it was stated in the official Register that it was taken by Ballot. It was hardly necessary to go to any other country in Europe; but with the permission of the House he would say a few words about America, because there it had been said that the Ballot was a failure. In the first place he believed that although the Ballot was originally introduced into America for the purposes of secresy, it had since been adhered to more for the sake of expedition; the fact being that all elections were not only Parliamentary, but municipal, and included the return of many classes of local officers. For this reason the printed lists were used merely to save time and where no concealment was necessary. It had been said that the elections for New York were usually the scenes of great disturbance; but a friend who had been in New York informed him by letter that he was present at an election there in 1867; that the printed lists of names were no essential part of the Ballot machinery, but were provided for the sake of convenience and to save an elector the trouble of writing many names. Electors who did not wish to conceal their votes could obtain tickets at booths, which must be 100 yards from the polling place. All that the State could do was to give the opportunity of secresy to all who chose to avail themselves of it; but if a man chose to wear a parti-coloured riband, he could not be prevented. His friend described all the arrangements as being excellent, and stated that even in the rowdiest wards the proceedings were carried on in the most peaceable manner. Each ward had its own polling place, into which the voter came, gave his name and address, and dropped his ticket into the urn, and there was not the slightest difficulty of either ingress or egress. His friend could not recollect hearing of any row, and his only means of knowing that it was election day was, that when he went into a tavern to get a chop neither wine, beer, or spirits could be obtained — a restriction which he (Mr. Hardcastle) hoped the Committee would bear in mind. It had been frequently urged that the use of the Ballot in America had not been attended with success; but the same charge could not be urged against its employment in Australia, where it had been remarkably successful. Mr. F. S. Dutton, a gentleman who had watched the working of the electoral system in South Australia for many years, and who had stood contested elections under the system of open voting and under secret voting, bore testimony to the riot, tumult, and extravagance which prevailed in the former case, and the orderly, inexpensive, and thoroughly efficient system of vote by Ballot. According to this gentleman's description the voting continued from nine till four, the returning officer and clerk sat with the Ballot box before them, and upon an elector giving his name certain questions were put, and if it was ascertained that the name appeared upon the electoral role, the vote was taken by the Ballot. There was this objection to the plan that it was impossible to scrutinize the votes thoroughly, but this was met by the system adopted in Victoria and described by his right hon. Friend the First Lord of the Admiralty. Then after the nomination, the returning officer sent a requisition to the Clerk of the Peace for a number of voting papers equal to the number of electors on the roll, and the papers were handed to the electors with an instruction to them to strike off the names of candidates for whom they did not poll, and the returning officer signed his name and affixed a number to each paper. When the elector came up to vote the returning officer wrote on the back of the paper the elector's number upon the roll, and then handed it to him. The voter took the paper to a table not overlooked by the poll clerks or by the public, and after erasing the names of those for whom he did not vote, dropped it into the Ballot box. The voting papers were examined in the presence of the scrutineers, but they were so placed that the numbers could not be seen. They were then sealed up, and until an election committee ordered the seals to be broken, the votes were protected by the strictest secresy. That was about as perfect a system of balloting as the ingenuity of man could devise, and he trusted it would be the plan adopted when the Ballot was introduced in this country. The Leader of the Opposition, in his speech upon the Address, at the beginning of this Session, said in reference to this subject—"In my opinion it would be a very unwise course"—— ["Order, order!"]

Mr. SPEAKER: The hon. Gentleman cannot quote a speech made in the present Session.

Mr. HARDCASTLE said, he would only refer them to the speech without reading it. The right hon. Gentleman was desirous that nothing further should be done in the present Session to alter the law just introduced, and spoke in a complimentary way of the inquiries that had taken place, describing them as searching and satisfactory. He would admit that they had been searching, but very much doubted whether they had been satisfactory. He found that one of the principal results had been to make bribery and corruption more easy than it was before. He believed, moreover, that the decisions of the Judges had done very much to discourage further petitions and further inquiries, and this had been the effect especially of that most anomalous of all the petitions, the petition with reference to the Westminster election. At Bradford, Baron Martin, observing that with 21,000 electors on the roll, £7,200 had been spent by Mr. Ripley, doing no more good than if it had been thrown into the sea, declared that such an expenditure would never stand scrutiny while a Judge had to try election petitions. But in the case of Westminster the same Judge, dealing with an electoral roll of only 18,000 names, seated the respondent, who had spent £8,900 in 1868, not to mention £5,000 spent in 1865, and who had been in a very extensive and lucrative business, consisting partly of the business of a printer, and might therefore be supposed to be able to carry through many of his election arrangements at a cheaper rate than the other candidates. Immediately after the publication of the result of the Westminster petition a very remarkable state of things occurred. At the beginning of the Session there were fifty-four election petitions. From that time to the 1st of March twenty-three of the number were tried and seven withdrawn; but in the first eight days of March following the trial of the Westminster petition nine were tried and six withdrawn, so that the proportion of petitions withdrawn to those tried had increased from one to three to two to three. What were the facts brought out at this searching but not satisfactory inquiry? What he disliked far more than the expenditure of £8,900 among 18,000 electors was the kind of persons employed. Mr. Grimstone told the Judge that he had at first attempted to dissuade the hon. Gentleman from standing; but, when he insisted, expressed his readiness to become his chairman for the St. George's Ward, but required that "old Harry Edwards" should act as secretary. From the Report of the St. Alban's Commission, which led to the disfranchisement of that immaculate borough, it appeared that in 1847, out of 295 votes polled for Mr. Raphael, who came in at the head of the poll, only about thirty were not bribed, and that £3,500 was advanced to Mr. H. Edwards for the purposes of the election, of which sum the greater part was expended, with the knowledge of Mr. Raphael, in bribing voters. In 1850 £2,500 was advanced, of which the greater part was expended in bribery, and in the course of the evidence Mr. Edwards admitted that since the passing of the Reform Act about £19,000 had passed through his hands for election purposes. Election Committees and Election Commissions had been tried and had failed, and election trials having equally failed to secure electoral purity, let them see whether the object could not be obtained by the substitution of secresy for open voting.

Motion made, and Question proposed,

"That it be an Instruction to the Select Committee on Parliamentary and Municipal Elections, to take into consideration the various methods of taking Votes by Ballot which are at present in use in portions of the British Empire and in other Countries, together with any modifications thereof which may be suggested, and to report upon the most efficient and convenient system of Balloting." —(*Mr. Leatham.*)

SIR GEORGE GREY: I do not rise, Sir, to say anything against that part of the hon. Gentleman's Motion which refers to the expediency of adopting the Ballot at our municipal and Parliamentary elections. I rise to speak strictly to the Motion placed on the Paper by the hon. Gentleman, and to state the reasons which make me think it will be inexpedient that the House should consent to give the proposed Instruction to the Committee. In waiving all discussions as to the expediency of adopting the Ballot, I do not in any way undervalue the importance of the subject. I am perfectly willing to admit the evils under the present system of voting, and am perfectly conscious of the deep interest that is taken in the question of the Ballot by many of the largest and most important constituencies in the kingdom. The hon. Gentleman who has brought forward this Motion has said that by adopting the course he has suggested much valuable evidence may be obtained. But while advocating in his own person the adoption of the Ballot—and, of course, I am well aware that there are a great many who agree with him—he has wisely abstained from asking the House to express any opinion while we are on the eve of an inquiry on the Motion of my right hon. Friend the Secretary of State for the Home Department (Mr. Bruce), with a view to inquire into the best means that can be adopted for securing tranquillity, freedom, and purity at our municipal and Parliamentary elections. Now, Sir, it is perfectly well understood that one of the subjects which the Committee will have to consider is the expediency of adopting the Ballot; and I cannot think that in considering that question the Committee will exclude that evidence which my hon. Friend wishes the House to be in possession of—namely, evidence as to the machinery by which the Ballot should be worked, supposing it to be adopted, in order that it might fulfil the purpose for which it was intended. I agree with the hon. Gentleman fully that it is not so much the Report of the Committee—the opinion of the Committee, which may be an opinion arrived at unanimously, or may be one come to by only a small majority—that we ought to look to in a question of this kind, as the evidence taken by the Committee and the authority of the witnesses by whom that evidence has been given; but it is a clear and well-understood rule in respect of Committees of the Whole House on Bills, that no Instruction can be given them to do what could be done without such Instruction, and although this rule does not strictly apply to Select Committees, it is unusual and inexpedient that the House should direct the attention of the Committee to one particular topic, to the exclusion of or in preference to others which fairly come within the scope of the inquiry, or give the Committee a particular direction to consider a matter which, without such direction, would necessarily come under its consideration. It appears to me that is a sound rule; because, if you instruct a Committee to direct its attention to one special subject, your doing so implies that you wish it to direct its inquiry to that particular subject, to the prejudice or exclusion of others. ["No, no."] If that is not your wish, why do you give special instructions? If it is not, why do you not give specific instructions to the Committee on other points? In this case, why not direct the Committee to consider whether the custom of nomination at the hustings should be continued or abolished, and, if abolished, what machinery should be adopted instead of it? The House is not asked to express an opinion as to the adoption of the Ballot, but merely to give an Instruction to the Committee to consider the question. That Instruction is unnecessary; and, as in the list of the Committee are some strenuous supporters of the Ballot, I cannot see that any good object can be achieved by the proposal of my hon. Friend, while its adoption might be regarded as an attempt to restrict the Committee in the performance of its duty of giving a fair and impartial consideration to all the topics that will come before it. I have another objection to the proposal of the hon. Gentleman. If the Gentlemen whose names have been placed on the Paper should be appointed to serve I shall have the honour of being one of the Committee. Now, I should wish to enter on that Committee with as little prejudice as possible in favour of my own opinion, and with a desire to give calm, and impartial consideration to all that may be said for or against the Ballot. I think the advocates of the Ballot, as well as those who may be opposed to it, ought to enter on the inquiry in that spirit; but if the House adopt the Instruction of my hon. Friend their doing so will have the appearance of prejudging the question. It will intimate a foregone conclusion, and convey an impression that, in respect of the Ballot, all which the Committee has to do is to inquire as to the most convenient and efficient form in which the Ballot can be adopted. The discussion raised by my hon. Friend may be useful in directing the attention of the country to the subject, and indicating the points to which the attention of the Committee may usefully be directed when it is considering the question of the Ballot; but for the reasons I have already stated I hope he will not divide the House on his Motion. When the House appoint a Committee of this kind, they ought to place full confidence in that Committee, and unless it is supposed to be failing in its duty, we ought not to restrict its action by

Instructions such as those now proposed to be given.

LORD CLAUD HAMILTON said, that he entirely agreed with the right hon. Gentleman (Sir George Grey) that the Committee ought to enter upon their duties wholly untrammelled by any such Instruction as that which was now proposed. He thought the high character and fair bearing for which the right hon. Gentleman the Home Secretary had always been distinguished ought to have been sufficient to satisfy the Mover and Seconder of the Instruction that the Committee would be an impartial one. He regarded the Motion as an improper endeavour to fasten on the Committee a preconceived opinion. During the many years he had been in that House he had heard the subject of the Ballot discussed very frequently without ever having said a word on it himself; but after the extraordinary speeches of the Mover and the Seconder of the Motion he could not remain silent. The hon. Member who seconded the Motion (Mr. Hardcastle) had taken, he must say, a most narrow-minded and one-sided view of the question. He had said a good deal about the expenditure at the Westminster election, but not a word respecting the money that had been squandered at Youghal. What were the facts? At Westminster, with a constituency of nearly 20,000, the hon. Member (Mr. Smith) had spent £8,900; at Youghal, with a constituency of 120 voters, £5,000 had been distributed; yet to the latter expenditure the hon. Gentleman—that consistent Ballot man—had not a word of objection to offer. For himself, he must say that he had been in the House thirty-three years, and he had never before known a case of such extravagant election expenditure in so small a constituency, and by one who was a total stranger to it. The only connection between the Borough and its representative seemed to be that the one had money to spend, the other votes to sell. On looking through the list of those who had supported the Ballot in that House, he found the name of the only candidate who, in the trials since the last General Election, had been pronounced personally guilty of bribery. If the Ballot had been in use, the probability was that gentleman would now be in the House and amusing his hon. Friends with accounts of how he had paid his money and secured votes. The hon. Gentleman who seconded the Motion had abstained from any reference to these facts. All the stress had been laid on the expenditure at Westminster. He never remembered a more marked instance of straining at a gnat and swallowing a camel. The Ballot was advocated, not because it would prevent bribery, but conceal it; and for that very reason it would never receive his support. The House had been told how well the Ballot worked in France, where, in such towns as Paris, Marseilles, and Lyons, Opposition candidates were returned, notwithstanding all the influence of the Government; but the hon. Gentleman who cited these examples said nothing about those remote districts in which the French Government even prevented the names of Opposition candidates from being published. In the rural districts the Ballot was the purest farce, the grossest fallacy, and the direct cause of coercion, intimidation, and falsehood. The hon. Gentleman said he thought intimidation worse than bribery. Of course a man who liked secret voting would not wish public opinion to be brought to bear upon public crime, but he thought that the more secret the crime the more dangerous it was, and intimidation could not be so secret as to escape notice. Did those who supported the Ballot honestly and sincerely wish to put down bribery, or did they desire by means of secresy to secure its continuance, and to protect those hon. Members who owed their seats to its influence from those little inconveniences to which, if they now resorted to it, they were exposed? After sitting for thirty years in that House he had come to the conclusion that there was no sincerity upon the subject, and that hon. Members had no real desire to put an end to bribery. ["Oh!"] He would give them good reasons for his belief presently. It would be useless to mention names in this matter because those whose names he could give, as having been declared guilty of bribery, were those who had been detected, and who were well known in that House. But those who now desired the Ballot wished to protect themselves from the risk which had been run by their poor friends who had been found out. An hon. Gentleman who had been found out during the last Parliament made a manly appeal to the House. He said—"You know these arrangements are well understood; don't you pretend that you don't do the same;" and this statement was met with cheers. He had known instances where men who professed the most spotless purity had been guilty of the most systematic and the most corrupt bribery. Of course the hon. Gentleman who had brought the question before the House had investigated the matter, and was well acquainted with the cases to which he alluded in this distant manner, in which those who had been the most guilty had successfully concealed the facts from the public. He begged to enter his protest against this systematic hypocrisy. While denunciations were hurled against Tory corruption thousands of pounds were sent down to the local bank in a feigned name for the purposes of corruption on the Liberal side. But when such a case was made public, did any of his fellow-Ballot men declare that the guilty party had lost his social position because he had obtained his election by corrupt means? And this brought him to the point to which he wished to draw the attention of the House. He wished to say that it was the hypocrisy of those who pretended that they wanted to secure purity of election by means of the Ballot that had kept up the system of bribery in this country. ["Oh, oh!"] Ah, he knew they would not like it, but he would prove his point, though he would not bring the blush of shame to some of their faces by mentioning names. ["Name, name!"] He declined to mention any names, because, by so doing, he would be only holding up the man to general disapprobation, whose chief fault was—not that he had been guilty of the crime, but that he had been detected—and detection did not prove he was worse than his fellows, but merely that he was less experienced and skilful. It was notorious that when bribery had been the most barefaced the constituency, afraid of being disfranchised, had managed, by means best known to those who desired secret voting, to get the petition withdrawn from the cognizance of that House, and thus the parties bribing escaped the punishment they deserved. ["Oh! oh!"] They said "Oh!" did they. Well, of course they did not like to be probed in a sore place, and no wonder at it. The reason he disliked secret voting was that, in addition to the crime, disgrace, and immorality of corruption, they would have the baseness of hypocrisy superadded. In a free country, possessing a free Constitution, a free Press, having free institutions, and affording perfect freedom of action, if there was any real desire to put down bribery, bribery could not exist. Instead of skulking into the secresy of the Ballot box, let them improve the moral tone of the community, and elevate public feeling upon the subject. If they were really sincere upon the subject, they would have the remedy in their own hands. Let it be announced publicly that any man guilty of bribery shall be excluded from the pale of society as though he were a swindler or a thief, and they would hear little more upon the subject. Instead of doing this they listened with complacency, and perhaps, enjoyment, to the tales of the successful dodges by which bribery had been perpetrated with impunity. As long as they admitted men having the moral stain of corruption into their society, he did not believe in the sincerity of their wish to put down bribery. The late Mr. Coppock was one of the most successful Liberal bribers and corruptors that ever lived in this country. He was the life and soul of the Reform Club. He was in the habit of receiving enormous sums of money from gentlemen at the Reform Club, and then he went down to the country and bribed any constituency that was willing to accept his bribes. One of the best instances of that gentleman's practices was at the borough of St. Albans. There was a very respectable gentleman of the name of Mr. Bell, who in an evil hour fell into the hands of this purist, Mr. Coppock, and who said to him—"If you will give me £4,000, I will get you a seat in Parliament." The boldness of the man appeared in this, that he used to send the money from the Reform Club direct, and he never sent bank-notes—he always sent sovereigns. In this case Mr. Bell's address was printed in that fine glowing tone which Ballot men use; then came denunciations of Tory bribery; then came a layer of sovereigns—then came another layer of denunciations of Tory corruption—and then another layer of sovereigns—this was all stated in evidence and can be seen in the Library—and the whole was packed up together and sent down to St.

Albans. The affair was managed so badly however that Mr. Bell was unseated, and the borough was disfranchised. He had alluded to these circumstances to show that a high assumption of purity was not always truthful. A friend of Mr. Coppock had told him that Mr. Coppock had said that if they could get the Ballot he would be answerable for every borough in the kingdom. A man, he said, who was prepared to give £3,000 or £4,000 for the chance of a seat, with the possibility of an election petition, would be quite willing to pay £5,000 or £6,000 for a safe seat. And once the Ballot was adopted, his course would have been to open negotiations with the leading Liberals of a borough, and give them to understand that he had a friend, and, if he were returned to Parliament, that it would be in his power to place £5,000 or £6,000 at their disposal; but that not one farthing would be given till the time for petitioning had expired, and the seat was perfectly secure. In that way Mr. Coppock declared that with the Ballot he could answer for almost every borough in the kingdom. To attempt therefore by a preliminary discussion to create the impression that the advocates of the Ballot had any disinclination for corruption or bribery was a delusive proceeding, against which he felt it right to enter his protest. If in a free country public opinion could not raise the moral tone of the constituencies, and lead them to look with scorn upon the demoralizing and disgraceful practices of corruption, it was hopeless to expect that good would be effected by the adoption of a secret system. Nothing was supposed to prevent misconduct and robbery at night so effectually as gas lamps. Let society therefore turn the indignant blaze of enlightened opinion upon conspirators in their dark holes and hiding places, and a remedy for this degrading practice may be secured. But the Ballot once adopted criminals would rejoice, and purity of election would be further removed than ever.

Sir HENRY LYTTON BULWER said, he feared he was one of those who would fall under the sweeping denunciation of his noble Friend opposite, for he was an advocate of the Ballot. But the House, he thought, was placed in a somewhat false position by the proposition of his hon. Friend near him (Mr. Leatham). For what did he propose? That the Committee should be instructed to do that which it was its bounden duty to do—that which it was stated it intended to do, and that which, in fact, formed one of the reasons for its appointment. Yet, if Gentlemen opposed the Motion from a wish not to place the Members of the Government—who were the advocates of the Ballot, and who would contend that the Committee should be left free—in a false position;—then, they might be suspected of not being true to the principles which they professed; on the other hand, if, as advocates of Ballot, they supported and carried the Motion, they would merely leave the question in precisely the position in which it stood at present—without having obtained any new advantage. He would therefore ask his hon. Friend to withdraw at least that part of his proposition which contained an Instruction to the Committee. He spoke the more freely on this subject because he did not entirely approve of the course adopted by the Government. He thought the country was the Committee on this question. Vote by Ballot had been canvassed through the length and breadth of the land for many years; and he, for one, should not obtain any light or instruction or any sanction for his opinions from whatever Report this Committee might deliver. Those who were in favour of the Ballot had no need for the resolution of any Committee on the subject; they never told their constituents that their opinions were not formed, and that they waited to see what a Committee appointed by the Government would think of it. On the contrary, they said—"We are in favour of the Ballot; we have reflected upon it, and we are in favour of that mode of ascertaining the opinions of the electors." He thought then the Government Committee was not required, but he thought also the present Motion was superfluous; it could do no good, and might do harm by giving the appearance of a division amongst those who were in reality united. He had not intended to trouble the House with any observations on the general question, but having risen, he would venture to point out to the noble Lord (Lord Claud Hamilton) the conclusions to be drawn from his own observations. The noble Lord, in alluding to France, had said the Ballot succeeds in all large towns where the influence of public opinion was felt; but in the country, where the force of public opinion did not exist, the Ballot was a failure. What stronger argument in favour of the Ballot could possibly be addressed to Englishmen? Where were the remote towns in England in which public opinion did not exist and make itself felt? He ventured to say that there was not a great town and hardly a small town—not even Tamworth, which he himself represented—in which there was not as strong a public opinion as in the great centres of France, to which allusion had been made. He had always been and was in favour of the Ballot—not from party motives—for, though he believed it would be a great individual benefit, he did not think it would much affect the condition of parties. But he was in favour of the Ballot because he thought it a simple act of justice. He could quite understand how gentlemen might differ on the question as to who should vote for Members of Parliament and who should not; he could quite understand how the right hon. Gentleman the Chancellor of the Exchequer and the right hon. Gentleman the President of the Board of Trade might be wide as the poles asunder as to a proper constituent body; but when once you had given a man a vote you were bound to see that he could vote as he liked, without injuring himself by doing so. The duty of an elector was to vote conscientiously, and the duty of the Legislature was to see that he could vote conscientiously. In fact, it was the peculiar province of the Legislature to make it easy for a man to do his duty; and if an elector could not vote without incurring the loss of employment or of the habitation in which he dwelt, it was for the Legislature to see that this danger was removed from him. Nay, if such was the case formerly, it was much more the case now, for we had been adding immensely to the constituencies from those classes of our population who were most dependent. What benefit was conferred upon these electors by the extension of the franchise if they were not protected in its exercise? It was no advantage to men to be placed in a position where they had to choose between their interests and their opinions. Hon. Members doubtless had called before now at a shop and been told by the proprietor—"Well, I think you are a very good sort of gentleman and I should be very glad to vote for you, but my customers are all on the other side;" or at a cottage where the occupant had said—"I think you made a very good speech at the Crown and Anchor the other day, and I should be glad to vote for you; but if I did I should have to walk out of the door by which you have just come in, and my wife would never forgive me if we were turned out of the house where all our children have been born." Candidates might, perhaps, wish that the electoral body had the spirit of martyrs, but they could not expect such spirit—and the law which had to deal with men must deal with them as they were, and not as it might be desirable that they should be. He would not, however, be led into a speech on the Ballot on this occasion, because he thought the question before the House was not that of voting by Ballot, but that of instructing the Committee to consider the various modes of voting by Ballot. If the Committee adopted vote by Ballot it would naturally do this; if it did not, there would be a fair opportunity—no earlier one having been taken—for the House to pass its own opinion on the general question. He therefore again ventured to advise his hon. Friend, since he did not propose a Resolution which would decide the Main Question, to leave the details of it to that body which would have, when it made, to justify its Report.

Mr. SCOURFIELD, having sat on every Committee which had been appointed to consider the Corrupt Practices Act, said, that to the best of his recollection no Instructions of any kind had been given to such Committee, and he did not see any reason why the Instruction now proposed should be given.

Mr. C. WEGUELIN said, that he entered the House without any intention of speaking on the present debate, and should not have done so but for the attack made upon him by the noble Lord the Member for Tyrone (Lord Claud Hamilton). He could not in justice to himself and to the constituency which he still represented allow the noble Lord's observations to pass unnoticed. He felt certain the noble Lord could not have read the evidence given on the trial of the election petition against him, or the judgment of the learned Judge who had tried the case. Had he done so, he would not have made the remarks of which he rose to complain. So far as he (Mr. C. Weguelin) was personally concerned he wished to take all the blame that was justly due for any folly that he had committed; but those who knew him, and the position in which he was placed, were well aware that if he had sinned it had been more through ignorance than corrupt intention. As for the opinion of those who did not know him, or the circumstances in which he was placed, he confessed he was tolerably indifferent, but he did protest against a supposed criminal being tried twice over. He had always thought that when a man had been fairly tried the judgment of the court should be final; and, as that House had elected a tribunal for the trial of cases which it had before tried by its own Committees, he could not help thinking it was bad taste on the part of any Member of that House to call in question the judgment of that tribunal. He would only say that in spite of the large expenditure at Youghal—which no one deplored more than himself—after a trial of ten days, the Judge declared that not one single case of bribery had been, in the smallest degree, established. He was charged with personal bribery in seventeen cases, but they did not dare to ask him one question in regard to any of those charges, and the Judge declared that the witnesses by whose evidence the charges had been attempted to be substantiated had all grossly perjured themselves. The Judge said he had been asked to declare that corrupt practices had extensively prevailed in Youghal; but he declined to do so, and said it would be a gross injustice to the town if he did so. How, then, did it happen that a larger expenditure took place than had ever occurred in any constituency of the same size? Those who had read the evidence would see how the money went. It was not proper for him to say more about it. It was recorded in the evidence, and he believed the Judge was convinced that he sincerely and to the best of his ability during the whole course of the election —and it lasted four months—did all he could to stop it, and he could assure the House that he had no intention except to win his election fairly and honourably. Members were too prone to accept the garbled reports about his election which had appeared in the London Press. They seemed to have been made up from the speeches of the counsel for the petitioners, but every one of those allegations was disproved by the evidence. The hon. Member concluded by thanking the House for the indulgence with which they had listened to his explanation.

LORD CLAUD HAMILTON begged to assure the hon. Member for Youghal (Mr. C. Weguelin) that, when he came down to the House, he had not the slightest intention of alluding to him; but that the reference made to the Westminster election by the hon. Member for Bury St. Edmunds (Mr. Hardcastle) induced him to place the case of Youghal in contrast with that of Westminster.

LORD FREDERICK CAVENDISH said, he earnestly hoped that, whether the Instruction proposed by the hon. Member (Mr. Leatham) were accepted or not, the inquiry by the Select Committee would be a most full and searching one, because his vote on the question of the Ballot would entirely depend upon their Report. He had voted against the Ballot, and his reasons for being unable hitherto to support it were not so much theoretical, but because he saw very great difficulties and dangers in the way of secret voting. In the first place, the very worst form of corruption — that of personation, because it was accompanied with perjury—was liable to be increased. If an election were carried under the present system by personation the wrong could be amended by means of a scrutiny, but with the Ballot that became more difficult. He could not at present understand how the evidence could be obtained that was to justify a scrutiny. Another objection was that the election might not depend upon the votes actually given. In America this result had occurred, and the manufacture of a new phrase, "ballot stuffing," seemed to denote a very common habit in that country. The hon. Member (Mr. Leatham) told them that the Ballot had passed the age of experiment, and had been adopted by the whole civilized world. But was independence always obtained by it? All over the Continent it appeared that when a Sovereign called a new Minister to his Councils, that Minister obtained a large and overwhelming majority at the elections.

That, he thought, proved that the Ballot did not, as practised in those countries, secure the independence of the voter. With regard to America, it should be remembered that, in by far the greater part of the United States, secret voting was unknown. It had been adopted in Massachusetts after long discussion and much opposition, and the advocates of secret voting were permitted to draw up the Act. But a year afterwards it was discovered that there were things to be amended, and they had gone on amending the Act until it had become a large and bulky statute. At last, so complex and difficult were the necessary arrangements found to be, that though the Act was not abolished, a clause was added to enable any elector to vote either according to the complex and secret system or the open system of Ballot. From that day, as he was informed, not a vote was given by secret Ballot. They had been told that in Australia the difficulties and dangers to which he had alluded had been successfully met. He hoped it was so; but he should like to see a very careful inquiry before we should follow the example of Australia. We ought to remember that Australia was comparatively a new country, and it was just possible that the arts and sciences of electoral corruption had not been there so fully developed as they had been here; and, perhaps, neither the candidates were so rich, nor the voters so poor. If the Report of the Committee should prove, as he hoped it would, that the evils which he feared would be avoided, he should joyfully hail the result and accept the Ballot as the means of getting rid of the practices which now disgrace our elections.

Mr. R. TORRENS said, the noble Lord the Member for Tyrone (Lord Claud Hamilton) had made a statement in which every one would concur, and that was, that if human nature should be very much changed for the better in this country, and we should get rid of all those inclinations which induced men to intimidate and corrupt, the Ballot would not be needed. The noble Lord had illustrated at considerable length the benefits to be derived from open voting, for he said that no mode for checking burglaries and crimes of that description had been found so effectual as to throw a flood of light on everything. But the misfortune was that in this case light was not thrown on the landed proprietor who coerced his tenantry, or the man of wealth who bribed his fellow-man, but on the victims. It was quite clear that the noble Lord had mistaken the scope and object of the Ballot, as well as its effects. The object of the Ballot was to screen the person who might be made the victim of intimidation or corruption; it was not in any way to protect the briber or the person who had recourse to intimidation. He would very briefly describe the manner in which the Ballot had been put in operation in Australia, and state from his own personal experience how effectually it had remedied the mischiefs of which we complained at home. In the first place, it was evident that the show of hands was entirely inconsistent with the Ballot, which would at once do away with the necessity of the Bill proposed to be introduced by the hon. Member for Brighton (Mr. Fawcett), for there would be no hustings, and none of those expenses of which the hon. Gentleman sought to relieve the candidate. What was done in Australia was this. The candidates were prohibited from addressing the constituencies for forty-eight hours before the day of election. On that day the returning officer attended at the court house, and two citizens presented to him in writing the name of the candidate whom they wished to nominate and second. If the number of candidates was not greater than that of the vacant seats the matter was at an end, but if it was, a Ballot was had recourse to. The poll book of the district had been prepared several months before the day of election, and was kept in the custody of a Government officer. Another Government officer of high character was sworn to take charge of the Ballot box, and in addition scrutineeers were appointed by the different candidates. The business of the scrutineers was to examine the different voters, and they were selected because they knew the district well, so as to be a check on personation. As each voter came up he mentioned his name, and the scrutineers had an opportunity of seeing that he was the right man. Care was taken to have a sufficient number of polling places, and that made it all the easier to get scrutineers who knew the faces of the persons who came to record their votes. The penalties against personation were very severe, and that together with the scrutineers prevented anything of the kind. The voter on coming to the poll received a card, on which was printed the names of the candidates, and he walked into a place like a sentry-box, and with a pencil scored out the names of those for whom he did not wish to vote. He then came came out and dropped the card into the Ballot box. When the Ballot box was opened the scrutineers overlooked the counting of the votes. Every step in the process was checked. He had himself been elected under this system, and as an elector had frequently used it in voting for members of both branches of the Legislature, and could certify that the system did not conduce to personation, nor had it been attended with the mischievous consequence which had been predicted concerning it. He would give a practical proof of what he advanced. The hon. Member who had introduced this subject (Mr. Leatham) quoted, from a work on South Australia, a passage which referred to two elections which had occurred in the city of Adelaide. At the first election, which was carried on by open voting, a great deal of bribery and violence had been practised; at the second election, which was conducted by Ballot, no bribery or intimidation of any kind occurred. He was present on both occasions. On the first, he saw many broken windows and broken heads, men carried by on stretchers, and a great deal of drunkenness. He had it from the mouth of one of the candidates that his expenditure amounted to nearly £2,000. He himself was a candidate at the next election, which only cost him £200, and it was conducted in so quiet a way that a stranger passing through would probably never have observed that an election was going on. There was not the smallest disturbance, and the expenses were mainly incurred in the hire of committee-rooms to address the electors in. It was said that there was now no secret voting there; but it should be recollected that there were certain medicines which produced no effect whatever on a healthy body, but were very useful in expelling a disease when the system stood in need of medicine. Such was the effect of the Ballot. When applied to a community as corrupt as that of Australia had been from bribery, intimidation, drunkenness, and violence, it operated very effectually. But after a few years the very idea passed out of men's minds of trying to coerce their neighbours or bribing them. The thing was looked upon as utterly disgraceful, and then all might acknowledge how they intended to vote. The machinery of the Ballot was still availed of, though men at public meetings came forward and said they would vote for Mr. So-and-so. Let them contrast that system with the one which obtained in this country. The evidence placed on the table showed that extensive drunkenness and ruffianism prevailed at elections. In some places eight women out of every ten in the town were drunk on the polling day; in others, men were brought to the polling-booth in such a state of intoxication that they could not utter the name of the candidate they wished to vote for. Sometimes a voter declared that he would "vote for the brewer." In the course of his own canvass of the borough which he represented the gentleman who accompanied him on his rounds again and again told him that it was of no use calling at one voter's house because the man's wife was a bed-maker at a College, nor at the house of another voter, who was himself a cook at a College, for neither of them would dare to vote for him. He did not believe the superiors of those Colleges and ecclesiastical establishments would exercise the amount of coercion which people in the town believed they would exercise; but the dread of it prevailed among the electors. Many tradesmen had told him—"You may place my name on your reserve list, and if your return is in danger I will come up and vote for you; but I shall not vote unless you really require my vote, as I should injure my business in voting for you." Those men should be protected from such influences. Having himself voted repeatedly under the Ballot in Australia, and having also been elected there by it, he could state that, although not a perfect specific in all matters, it operated as a complete remedy for intimidation and undue influence, and it likewise put a check upon bribery. He did not wish to over-state the case for the Ballot. Bribery might still occur where the electoral districts were very small, because a candidate might send down a very large sum of money to be distributed in a borough in the event of his being returned. But that was done at this moment. To his own knowledge that practice prevailed in a small borough not far from where he lived in the country. The hon. Member for that borough had been in the habit, for years, of sending down to it a very large sum of money—he was informed £4,000—and then there was no contest; but if he did not send the £4,000 then there would be a contest. He did not regard the Ballot as a party measure, for although it might exempt certain voters in the country districts from the coercion and undue influence of their landlords, and thus diminish the power of the great territorial magnates, on the other hand, it would operate in a very salutary way in the boroughs. When they considered the organization of the trades unions, there was ground for serious alarm lest, under the influence of their different executives, who were absolutely despotic over those who joined those trades unions, the expression of individual opinion might not be entirely annihilated among the various trades of the country. The Ballot would protect them from that danger; and with such a shield the decrees sent forth by the executive of a trades union, ordering the members to vote in favour of particular candidates, would have no effect. When any candidate was proscribed by one of those bodies, the workmen, under the system of open voting, durst not vote for him, for if they did none of their fellow-workmen would enter into any employment with them, and they would thus lose the means of earning their bread.

Mr. DAVID CHADWICK said, he wished to contribute a few facts to that discussion without entering into any argument. He desired to place his own experience of the Ballot in opposition to what a noble Lord on the other side (Lord Claud Hamilton) had said of its operation under some mischance in some backwood State of America. He came to that House fresh from the ranks of the people, having taken a most active part in political measures during the last twenty years—and he believed there was no measure of so much political importance, and which would give so much satisfaction to the country as the Ballot. He had seen the Ballot in operation in America, and he had watched with the eye of a student of political economy the last contest but one in that country, when Abraham Lincoln was elected President for a second time. He went, accompanied by the British Consul and Mr. Cyrus Field, to fourteen different polling-booths during that contest and noted the whole conduct of the voting; and what was the result? Why, that in New York, which had been agitated to the greatest extent for the previous six months, on the day of election all was as quiet and orderly as could possibly be conceived. The people went to exercise their suffrages as if they were performing a great moral and religious duty. It was true the public-houses, the gin-vaults, and the beer-houses were closed—a regulation which we might well imitate; and it was also true that they were spared the riotous proceedings of the nomination day —another precedent which this country might advantageously follow. He denied that a person could bribe, control, or intimidate under the Ballot. He believed the mode of voting by Ballot in America was as near perfection as they could expect any human institution to be. The American voter's landlord might walk before him, and his employer behind him, without either of them being able to intimidate or coerce him. He could likewise, as the result of twenty years' experience in elections, confirm the opinion of the hon. Member for Huddersfield (Mr. Leatham) that bribery, intimidation, or undue influence prevailed over two-thirds of the electors of every borough and county in this country, such practices not being confined to politicians on one side only, but being resorted to by the friends on both sides. It was a very difficult thing to convince employers that their workmen ought not to accept their advice in political matters. He had asked an employer why he would not favour the Ballot, and that employer could not understand why an employer of labour should not have more influence over those he employed than anyone else. That employer could not understand why his workmen should not believe that his intelligence was superior to their own, and accept his judgment on political questions in preference to their own. He (Mr. Chadwick) said to that employer—"I would venture to place the political intelligence and experience of any half-dozen of your foremen against your own," and he Mr. (Chadwick) dare say that in point of intelligence, experience, and knowledge of political economy they would be superior to that employer. A vote was in his opinion a right and not a trust; but, however that might be, it ought certainly to be given with perfect freedom. It was as unjust as impolitic, and as wrong, to interfere with the voter in the exercise of his vote as it was to tamper with a juryman in the box. There was no political question of half such importance as that of purifying the mode in which Members of Parliament were elected, and he hoped therefore that the hon. Member for Huddersfield would persevere with his Motion.

SIR **FRANCIS CROSSLEY** recommended the noble Lord the Member for Tyrone (Lord Claud Hamilton) to read at his leisure the speech which was delivered by the present First Lord of the Admiralty (Mr. Childers) on the 9th February, 1860, shortly after the right hon. Gentleman first obtained a seat in the House. The noble Lord did not advance a single argument against the Ballot, but contented himself with saying that it meant secresy, and that secresy meant deception. If the noble Lord looked at the report of the speech referred to, he would find that in Australia the adoption of the Ballot had not produced the evils he so much dreaded. He entered Parliament about seventeen years ago, with a determination to do all he could to make the House in reality what it was in name—the House of Commons. The Conservatives were then adverse to extending the suffrage, fearing that a disturbance of the settlement of 1832 would tend to Americanize our institutions. He found, too, that most of the Leaders on the Liberal side of the House, with the notable exceptions of the present Prime Minister and Earl Russell, were afraid to make any change in our electoral system. Lord Palmerston professed himself content with the settlement of 1832, although if the people had clamoured for an extension of the suffrage he would have acquiesced in it rather than resign Office. He did not, however, believe—when he was well off with things as they were—in building up a wall to run his head against, and was determined "neither to burn his bridges or destroy his boats." After Lord Palmerston's death, however, the Leaders on both sides of the House found it impossible to resist the demand for Reform, and for his own part, as far as the extension of the suffrage was concerned, he was very well satisfied with the change which had been effected. But every man upon the electoral register should have the power of voting as he liked, and should not be controlled or compelled to vote in a particular way by somebody else. They were told that a vote was a trust, and that the way in which it was used should be published to the world. But now that every householder had a vote that argument lost much of its force, because the trust, if it was one, could only be exercised for women, children, and lodgers. But if it were a trust, why could not the voter be trusted with it? Could he not use it better if allowed to vote as he thought right than he could by being compelled to vote as some one else thought right? An hon. Friend of his, who was a Member of that House and a large landowner, once said to him, "I have never any trouble about the votes of my tenants. When a farm is to let, my manager tells the applicants that it is the farm which gives the vote, and not the tenant; that he can put in any tenant he likes, and that there must be no misunderstanding whatever about the vote. Consequently I have no trouble with my tenants, who go to the poll like sheep." But that was altogether wrong in principle; if it were not, it would be better for the landlord to have all the votes of his estate in his own person and for the tenants to have none at all. He himself was a large manufacturer, but he had no desire whatever to have any influence over the votes of the people in his employ. He was in favour of the Ballot, because he believed that under that system we should have no more chance of personation or of bribery than existed at present, and we should get rid of intimidation and of the disgraceful turmoil and riot that too frequently occurred now at election times.

MR. **GLADSTONE**: I can very well understand the object of my hon. Friend the Member for Huddersfield (Mr. Leatham) in making this Motion, and in raising the discussion which he has raised. There was undeniable truth and force in his objection that the appointment of the Committee, which, however, he did not in other respects criticize or condemn, has the effect, so far as public debate and public indications are concerned, of consigning the question of secret voting, in which he feels so deep an interest, to silence for a considerable length of time. I cannot wonder, therefore, nor can I make the slightest complaint that my hon. Friend should have thought fit to invite the attention of the House specifically to this subject, while I am bound to admit—in common, I think, with all who heard him—that he performed his task in a speech of remarkable ability. I do not know, from the desolate state of the Benches opposite, whether it be true that it is the business of an Opposition in this country to oppose the existing Government. If so, I do not think, in the present state of those Benches, that they are sufficiently performing that duty. With the exception of that specially independent portion of the House which sits below the Gangway, I might say that in this debate we have had the matter almost entirely to ourselves, and that we can discuss it as persons who are united for the most part in a common object—a common object as regards political purposes for which we are associated, and the subject of this discussion. There is not, I believe, a man sitting on this side of the House—and certainly I am not he—who will deny or question, for one moment, that it is our absolute duty, as has been so well said by my right hon. Friend the Member for Tamworth (Sir Henry Lytton Bulwer), to give every facility we can to the voter for the proper discharge of his duty, and to take out of his way, if it be in our power, all impediments which lie in the way of the attainment of that object, and to secure, on his behalf, the means by which he can exercise his right of suffrage with perfect freedom. It is in that spirit that I, for one, am disposed to look at this debate; and undoubtedly I think my hon. Friend has considerable reason to feel grateful to the more strenuous opponents of secret voting, most of whom are to be found on the other side of the House, for the manner in which—with little more than one single exception—they have left him this evening in the possession of the field. Having said this much, and having fully recognized the legitimacy of this discussion, I can well account for the earlier part of the Motion of my hon. Friend. With respect to the latter part of that Motion—namely, the Instruction which he proposes should be given to the Select Committee the House is about to appoint almost immediately—I hope he will permit me respectfully to make a few representations. He proposed the Committee should take into consideration the various methods of taking votes by Ballot, which are at present in use in various portions of the British Empire and in foreign countries, together with any modifications thereof, which may be suggested, and report on the most efficient and convenient system of balloting. As I have said, I look upon this debate—with which my hon. Friend has no reason to be dissatisfied—as the main object which he has in view; and therefore I feel the less difficulty in urging upon him, or, at least, in laying before him some considerations which appear to me to show that his Motion should not be pressed. I am sure my hon. Friend will feel that this is a Committee which has some peculiar claims on our consideration. It is a Committee which will be formed of Gentlemen of great weight and ability, who have been carefully selected, and who possess every qualification necessary to enable them rightly and fully to discharge their duties; and it is a Committee which derives its title from a paragraph in the Speech from the Throne. In that Speech it was recommended to Parliament that an inquiry should be instituted "into the present modes of conducting Parliamentary and Municipal Elections," and that we should consider "whether it may be possible to provide any further guarantees for their tranquillity, purity, and freedom." The terms in which the Committee has been appointed follow precisely the language of the Speech from the Throne, and require the Committee to conduct their examination with the view of promoting, if necessary, further guarantees for tranquillity, purity, and freedom of election. I understand my hon. Friend, however, in this Instruction, to have before him an object which I conceive to be perfectly legitimate, that is to say, to make sure in the face of the House and of the country that the subject-matter which he covers by his Instruction will unquestionably form a part, and a very important part, of the investigation of that Committee. I think I may venture to assume that if my hon. Friend feels satisfied in that essential point he will not desire to lead the House somewhat out of its usual and more convenient path, as was well observed by my right hon. Friend the Member for Tamworth, in instructing the Committee with regard to what, if I may use the phrase, it is already of itself instructed. The Committee is to examine into the necessity or possibility of further guarantees for tranquillity, purity, and freedom of election. Is it possible to adopt words comprehensive in their character and not therefore narrowly or exclusively directed to secret voting, but which must, by a moral compulsion, if that should be necessary, lead the Committee to inquire into everything connected with the subject of voting? What are your great objects in regard to secret voting? They are these—first, to provide better guarantees against bribery; and therefore the Committee has to inquire whether it may not be possible to provide better guarantees for purity of election. Your other great object is to provide guarantees against intimidation; and therefore the Committee has to inquire into the means by which the freedom of election can be better secured. There cannot, I think, be the smallest doubt that this is the obvious duty of the Committee, and I would point out to the House that it is clearly right we should presume that duty will be performed. I do not by any means question the propriety of the rule which allows a Member to move an Instruction to a Select Committee, because it may often happen that when a Select Committee is appointed the precise province within which it is to act may not at the moment be distinctly understood, and it may be extremely desirable to remove all doubt upon that point. But I think that is not the case in the present instance. If I refer also to the speech in which my right hon. Friend the Secretary for the Home Department (Mr. Bruce) moved for the appointment of the Committee, I think that had there been a lingering doubt upon this point that speech must have effectually removed it. My hon. Friend, therefore, has the fullest assurance that the very thing which he desires to do will be unquestionably done, but subject to this condition, that if we are to suppose that Committee to be free we must suppose it capable of forming an opinion on the other side; and if it were to form a judgment adverse to secret voting, I do not suppose that my hon. Friend would be very anxious that the same tribunal should investigate the matter with a view of discovering the best mode by which secret voting could be carried out. On the other hand should the Committee find — and I have no doubt my hon. Friend is sanguine upon that point—that secret voting is desirable, there cannot be a doubt that the very words "providing further guarantees" direct them not to a mere abstract discussion of what system may be the best on the whole, but to a careful consideration of the practical means whereby that system shall be carried into effect. I would venture to add one more consideration which appears to me to be of no inconsiderable weight. In the former evening, when this Committee was proposed, the right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy) expressed a hope that the Committee would enter into a real and impartial inquiry, and was not merely to be a cover for a foregone conclusion. That is, I fear, a reproach to which this Committee may in the end be subject. The time may come — and especially if the Committee gives the engagement which my hon. Friend desires and anticipates — when we may be open, unjustly but possibly, to the suspicion or imputation that this Committee was a Committee of intrigue —that it was devised for the purpose of covering and hiding the accomplishment of an object which we did not like openly and manfully to avow. I only mention that because I think it is a reason for our abstaining from a proceeding which might appear to give colour to such an imputation. My hon. Friend, I think, may be satisfied with the fair meaning of the reference to the Committee, together with the construction which the Government, as the Advisers of the Royal Speech, and as the Movers of the Committee, have put upon it. I do not, for a moment, question the wisdom of the course which has been taken by my hon. Friend in raising the discussion this evening with the view of bringing this great and important question under the notice of the public. But I am convinced that he will, if I may use the expression, exercise a wise discretion if he will take the advice he received in the course of the debate, not only from a friend, but from a veteran friend of secret voting—my right hon. Friend the Member for Tamworth (Sir Henry Lytton Bulwer)—and if he will not ask the House to enlarge the Committee by specific instructions, but will leave it to exercise its freedom in full confidence that that freedom will be rightly used.

Mr. LEATHAM said, that after the full and satisfactory explanation given by the right hon. Gentleman at the head of the Government he felt that he should best consult the convenience of the House by withdrawing his Motion.

Motion, by leave, *withdrawn.*

POST HORSE AND CARRIAGE LICENCES DUTIES.

MOTION FOR COMMITTEE.

Acts relating thereto read.

Mr. Alderman W. LAWRENCE rose to move in Committee of the Whole House—

> "That the Taxes on Locomotion should be revised, reduced, and equalized, and that the Mileage Duty and Licences on Stage Carriages and Omnibuses, viz., one farthing per mile and £3 3*s.* annual Licence Duty to carry more than eight persons, and ten shillings annual Licence Duty to carry not more than eight persons, should be repealed : and that the Post Horses and Carriage Licences Duties be repealed, viz. :—Keeping 1 Horse or Carriage, £5 per annum ; not exceeding 3 Horses or 2 Carriages, £10 per annum ; not exceeding 4 Horses or 3 Carriages, £15 per annum ; not exceeding 5 Horses or 4 Carriages, £20 per annum ; not exceeding 6 Horses or 5 Carriages, £25 per annum ; not exceeding 8 Horses or 6 Carriages, £30 per annum ; not exceeding 12 Horses or 9 Carriages, £40 per annum ; not exceeding 16 Horses or 12 Carriages, £50 per annum ; not exceeding 20 Horses or 15 Carriages, £60 per annum ; exceeding 15 Carriages, £70 per annum ; exceeding 20 Horses, then for every additional number of 10 Horses, and for every additional number less than 10 over and above 20 or any other multiple of 10 Horses, the further additional Duty of £10 per annum. And that the Metropolitan Hackney Carriage Duty and Licences be repealed, viz. :—7 shillings per week, or 6 shillings per week if not used on Sunday : and a Licence Duty of £1 per annum on each Hackney Carriage : And that there should be substituted in lieu thereof the following annual Licence Duties under the Excise levied in the same manner as the present Licence Duties on Dogs, viz. :—Every person letting Horses or Carriages for hire, and every proprietor of any Stage Coach, Omnibus, or other Public Conveyance, and of every Hackney Carriage or other Vehicle plying for hire in the public streets or roads, the following Duties :—Upon every Horse, £1 per annum ; upon every Vehicle drawn by one or more Horses, £1 per annum, unless such Horses or Vehicles are used wholly and solely for the purposes of trade or agriculture."

The hon. Gentleman said, he was aware of the difficulty which a private Member must have in proposing a remission of taxation, for if he did so before the Financial Statement was made he was told that the Chancellor of the Exchequer did not yet know with certainty what taxes could be remitted ; and if he did so afterwards he was told that the financial arrangements for the year could not be varied. In the one case he was too soon, in the other case too late, and it was difficult to hit the exact time for making such a proposal. The right hon. Gentleman was the fourth Chancellor of the Exchequer to whom he should have appealed for the remission of these taxes —a result which would be not only for the interests of the trade, but for the advantage of the public generally. In 1866 the First Lord of the Treasury stated that the whole subject of taxes on locomotion required to be reviewed, and the right hon. Member for Buckinghamshire (Mr. Disraeli) in 1867, and the right hon. Member for Northamptonshire (Mr. Hunt) in 1868, without denying that the question deserved the attention of Government, merely pleaded their inability to take the matter in hand, as the revenue was declining and the expenditure increasing. With regard to the stage coach duty and the duty on cabs and omnibuses, it might seem, at first sight, that they applied simply to the metropolis, but the fact was that every place throughout the country was affected by them. In 1844 Parliament compelled the railway companies to carry third-class passengers at 1*d.* a mile, but Parliament never provided the means for those third-class passengers to be carried to and from the railway stations, and the duties on stage coaches and flys remaining unaltered, the conveyance of the poorer classes from the railway stations to their towns and villages often cost as much as the fare for a long distance by the third class in a railway train. In 1864, before the reduction of the duty on stage carriages, the amount of mileage traversed by them increased by only 20,000 miles over that of the preceding year; but in 1865, after the duty had been reduced from 1*d.* to ½*d.* a mile, the mileage increased by 690,000 miles over the preceding year; in 1866, by 600,000 miles more; and in 1867, when the duty was further reduced to ¼*d.* per mile, there was the immense increase of 1,179,000 miles, in addition to all the preceding. It appeared that after the reduction of the mileage duty to ¼*d.*, the sum paid for licences and mileage duty was still twice as great in proportion to profits as the amount of duty paid by railways. The London General Omnibus Company in 1864 paid £53,300, or 8¾ per cent on their earnings; while the railway companies paid £430,000, or 1 3-10ths on their earnings. The next duty to which he would refer was the post horse duty. All cabs and vehicles throughout Great Britain, excepting London, were charged to that duty. In London there was a graduated scale of duty, the effect of which was that the smaller the trade the greater amount of duty was paid proportionally, because the duty diminished in proportion to the extent the trade and the number of vehicles kept. The hackney carriage duty was confined to the metropolis, and was the most oppressive of the duties levied on locomotion. The House would scarcely credit him when he stated that, while the amount of duty paid by the proprietor of fifty horses and carriages in Birmingham or any other country town was something like £170, in London it was £962 10*s.* If a small trader should set up a four-wheeled waggonette and drive it twice a week to a market town, or take four or six passengers to a railway station, he would have to take out a stage carriage licence and pay the mileage and post horse duties, and if he wanted to drive his wife and family a little way into the country he would have to pay on that one-horse carriage not less than £10 18*s.* He had received numerous letters from various parts of the country where persons keeping a one-horse conveyance for family use and letting it to a neighbouring tradesman had been surcharged and compelled to pay the assessed taxes and also the expenses of the appeal; and the Treasury, when applied to, answered that when the carriage was let out the customer paid the duty, and when it was used to drive the owner's family it was necessary that he should pay it. These taxes must fall most heavily on those who had only one or two carriages, and tended to prevent that locomotion throughout the country which was essential to the general comfort, health, and happiness of the people. They were not only oppressive in some districts, but perfectly prohibitory in others. He should suggest that there should be an uniform excise duty of 20*s.* on each horse, and of 20*s.* on each carriage, and that both the horse and the vehicle might be used in any way the proprietor thought proper. That would be a boon to the whole community. He had entered upon the question how these taxes were levied and collected. They formed five or six items of the account in the public revenue. He proposed to reduce, not only the expense of management, but the collection of these taxes. In 1866 the amount of taxes on these descriptions of vehicles amounted to £427,000; but after they had been reduced, in 1868, the amount was £200,000; and in 1869 it was £276,000; so that these taxes were in a very different position from that in which they stood formerly, and he objected that the system of collection and assessment should remain the same. The hackney carriage trade in London was the only one in which the charges of those engaged in it were fixed by law, and in which there was no competition. They were told on high authority, that if they had open competition dirty and ricketty cabs would soon vanish from our street. That was the testimony of the Commissioners. In 1866 there were 7,160 cabs, but the number was now reduced to 5,300. Persons interested in this business had been crushed by the oppressive tax, and had not been able to turn their attention successfully to any other trade. When the right hon. Gentleman opposite (Mr. G. Hardy) had published regulations, the fulfilment of which involved some little expenditure, which the proprietors of these cabs could not afford, they compelled him to withdraw the obnoxious provision because they could not afford the extra expenditure. He appealed to the Chancellor of the Exchequer to say whether it was creditable to the metropolis that the public carriages should be in the state in which they were at present? It must be admitted that the metropolis ought to be supplied with better public vehicles than it had at present, and the first thing to be done to secure this object should be to have this enormous charge of £19 5*s.* per annum for each vehicle reduced, while at the same time the charge was only 6*d.* per mile. Why should not London have conveyances equal to those possessed by Paris or Geneva? If they took one of the largest provincial towns, it would be found that in Birmingham a cab paid only £5 per annum to the public revenue. He trusted the Chancellor of the Exchequer would not follow in the footsteps of his predecessors and plead for postponement until a more convenient season. No season was as convenient as the present. The eleventh Report of the Inland Revenue Commissioners, that for 1867, stated with reference to this matter—

> "We can scarcely add anything to our statement in the tenth Report on the taxes on locomotion, except that we are disposed to doubt the expediency of any further alteration in the stage carriage and post horse duties short of such a measure as would allow to every man the free use of his horses and carriages unfettered by fiscal regulations."

This described the object of his Motion; he wished the owners of horses and carriages to be allowed to use them or let them on hire without being subject to any fiscal regulation whatever. He accordingly moved that the House resolve itself into a Committee to take into consideration the taxes on locomotion.

MR. ALDERMAN J. C. LAWRENCE seconded the Motion.

Motion made, and Question proposed, "That this House will immediately resolve itself into a Committee to consider the said Acts." — (*Mr. Alderman W. Lawrence.*)

MR. M'LAREN urged the Chancellor of the Exchequer to equalize the rates if he could not reduce them. Simple justice required this, because at present the owners of a few horses and carriages were taxed more heavily than their wealthier competitors. He thought the scale proposed—namely, £1 for each horse, and £1 for each carriage—was a fair one. The owner of a single carriage paid £5, but the owner of nine paid £40; a still larger proprietor of twelve carriages paid the reduced tax of £50, and the owner of fifteen paid only £60, instead of £75, which would be payable at the rate of £5 each. The result was that the proprietor of thirty-five carriages paid only £2 each, and the proprietor of seventy paid but £1. The law, therefore, gave the larger trader an advantage over the small. The rule as regards horses was most extraordinary. Six horses could be kept at £3, and every horse above twenty could be kept for a duty of £1 a head. What would be thought of a law which relieved the owner of twenty ships from paying full dues for lights and docks while the poor shipowners paid full dues for their one or two ships? He had a constituent who had about 500 horses, and he only paid at the rate of £1 a head for all exceeding twenty, but his poorer neighbours, who had fewer than twenty, paid £3 15*s.*, £4, £4 3*s.* 4*d.*, for each horse, and so on—for the scale was a sort of a jump one. The Chancellor of the Exchequer, no doubt, might say he wanted £250,000 from those duties; but then let him lay it on honestly. Let there be an equality between the rich and poor. The present scale of duties enabled large proprietors to ruin small ones and obtain a monopoly. He called upon the Chancellor of the Exchequer, whatever might be the state of the finances, to do justice by equalizing the rates.

MR. CHARLEY took exception to the worthy Alderman's proposal to abolish the existing distinction between six-day and seven-day cabs, urging that the six-day cab movement had been most beneficial to cabmen, and had raised their social, moral, and intellectual condition, and that it had received an impulse from the difference of duty in favour of the six-day cab. It was only fair that the difference should be allowed, and he trusted the Chancellor of the Exchequer would continue it in any changes he might propose.

MR. MURPHY, as representing an important Irish constituency, called attention to the fact that in Cork the tax charged on each vehicle was £2 4*s.* 1*d.*, but a man could keep thirty or forty vehicles for this one payment. What the car-proprietors in Cork had petitioned for was that each vehicle should be taxed, so that the same amount as now might, in the aggregate, be produced for the Exchequer.

MR. ALDERMAN LUSK said, several of his constituents had requested him to support this Motion. They felt that the law dealt hardly with them in imposing an amount of duty on cabs from which carriages were exempt. The Chancellor of the Exchequer might say he needed the money the present duties produced, but necessity was the tyrant's plea; and why should we punish a useful class so much when the money might be saved in many ways?

THE CHANCELLOR OF THE EXCHEQUER: I think the worthy Alderman the Member for the City of London (Mr.

Alderman W. Lawrence) has well discharged his duty to his constituents by making himself so thoroughly master of the question, and bringing it before us in so tangible and clear a form. He must have taken great pains with the subject, for he seems to have made himself completely master of it. The hon. Member has been fortunate in his campaign in this matter; for although he has attacked three Chancellors of the Exchequer—he has vanquished them all. He may well exclaim with the poet—

> "Thus far with victory my arms are crowned;
> For tho' I have not fought, yet have I found
> No foes to fight withal."

He has only appeared in character, and every one of them has been prostrate before his lance. I am not an exception to the rule. I have not a word to say against his arguments, and therefore he may have me as a fourth captive to his bow and spear. Nor will I do as the worthy Alderman (Mr. Alderman Lusk) fancifully anticipates—trouble the House with any pleas about my miseries and necessities; these will come soon enough when I open my Budget. I frankly admit that these taxes press very heavily, and that they are relics of other times and other manners. The post horse duty seems to have outlived the post horse itself; and there is no doubt, whenever the time shall arrive when the Chancellor of the Exchequer shall again address himself to the delightful task of alleviating the burdens of taxation, no subject can be mentioned that will be better worthy his attention than this. I hope the worthy Alderman the Member for the City of London, and other Gentlemen who have addressed the House, will be satisfied with this general declaration. The subject shall have my most serious attention whenever that attention can be profitably and practically applied to it. I will say one word in reference to what was said by the hon. Member for Cork (Mr. Murphy); and I am much obliged to him for having mentioned Ireland, for it is a peculiarity of that country that it is exempted from assessed taxes, and amongst others from the tax on carriages; and no doubt when we come to consider the subject—listening to the exhortations of the hon. Members for Edinburgh and Finsbury (Mr. M'Laren and Mr. Lusk) to "Be just and fear not" in this matter—we may take into consideration the propriety of equalizing these taxes in the two parts of the United Kingdom. I hope the worthy Alderman will not persevere with his Motion, which can answer no good purpose; but that he will be satisfied with having thrown a great deal of light on this question, and with having made suggestions as to the way of dealing with it which I do not doubt will be useful to any Chancellor of the Exchequer who may be fortunate enough to constitute himself a pupil of the hon. Member.

MR. ALDERMAN W. LAWRENCE said, he readily accepted the very frank and candid statement of the Chancellor of the Exchequer as an earnest that the right hon. Gentleman might at some future period relieve the public from this taxation. The right hon. Gentleman had felt himself unable to meet the arguments in this case; and it was to be hoped that it might be reserved to him to carry out his views upon the subject in the most satisfactory manner.

Motion, by leave, *withdrawn.*

INCOME TAX—RESOLUTION.

MR. WHALLEY said, he rose to move the Resolution, of which he had given notice. He urged upon the House that the adoption of this Motion would not depend upon the Chancellor of the Exchequer having a surplus to deal with. This was really a serious question, and he trusted that he would have the serious attention of the Chancellor of the Exchequer. It was a subject which had entered into the hearts of the people as one involving a grievance of great magnitude. He had that day presented fifty Petitions, signed by between 20,000 and 30,000 members of the trading classes and others, complaining of the way in which trades were assessed to the income tax. Amongst the petitioners were about 200 county magistrates, and it was reasonable to assume that in their view it was to the interest of the land—the successful cultivation of which mainly depended on the prosperity of the trading classes—that the trading and professional classes should be relieved from the intolerable burthen of the income tax. It was only fair to say that a very large proportion of the traders who had signed these Petitions did not concur in the view he took on this subject. They said it was reasonable that they should pay a special tax as long as the income tax was imposed on land and fixed property. They were willing to pay for licenses for carrying on trade, or any other tax which it was not difficult to devise, but all of them said they would no longer submit to the unjust, inquisitorial, and most injurious system of assessing and levying the income tax. He hoped the House would recognize that sentiment by at once unconditionally repealing the income tax. The Government said to a tradesman—Fix your own value on your trade. He generally gave the benefit of a doubt to himself by putting the amount of his income at a very low figure. In nine cases out of ten it was not possible for a trader to state the amount of his profit for the next year, or for the next three years, with such accuracy that it would not be open to dispute. Well, he sent in his return to the Commissioners, who generally surcharged him upon that. Such had been the anomalies of the system, and such irritation and sense of indignity and insult had been produced by it, that to his own knowledge many most respectable persons had been driven out of trade; and the general demoralization of trade was not very indirectly to be traced to the wholesale demoralization which the Government spread broadcast throughout the country, when they called upon traders to sit in judgment upon their own case, and subjected them afterwards to the ordeal of the Commissioners, who sat in judgment upon their own surcharge. The only objection to the Chancellor of the Exchequer at once acceding to the Motion was that it would be hard upon the landed property of the country that they should have to bear an addition to the present income tax sufficient to make up the deficiency arising from the repeal of the income tax under Schedule D; but he suggested that if the Resolution were carried the hon. Member (Sir Massey Lopes) would be in even in a better position than he was now for transferring a portion of the local burdens upon land to Imperial taxation, to which the trader would contribute through the indirect taxes.

Mr. POLLARD-URQUHART seconded the Motion.

Motion made, and Question proposed,

"That it is expedient to include in the Financial arrangements of the Government for the ensuing year the unconditional repeal of the Income Tax on trade profits and personal property of all kinds; and that any deficiency be raised by an increased tax on land and fixed property."—(*Mr. Whalley.*)

The CHANCELLOR OF THE EXCHEQUER: I agree with the hon. Member for Peterborough in two things. First, I agree with him when he says this is a serious subject. Secondly, I agree with him that the question whether the Chancellor of the Exchequer has a surplus or a deficiency cannot in respect of this subject make the slightest difference in the world. On these two points I agree with him; but I have listened to the rest of his speech without being able to agree with him in anything whatever. The hon. Gentleman is certainly very fortunate in having created so high an opinion of his merits in the breasts of the 200 magistrates and others who have intrusted him with this message to the House of Commons, and who, although they do not agree with him, have selected him to plead their cause. I do not agree with him, and certainly I should not have selected him to plead my cause. But the question is very easily stated; it is this—that trade and commerce, in the opinion of the hon. Gentleman, ought to be encouraged by having the burdens imposed on their profits taken off and imposed on land—on realized property generally. I should like to ask the hon. Gentleman, if he wishes to encourage trade and commerce, whether the way to do that is to hold out to persons successful in these pursuits that when they have made a fortune that fortune shall be taxed, in order to lighten the burdens on all the rest of the community? He tells us that the object he has in view is to relieve those persons of intolerable burdens and mischief; and in the same breath he tells us they do not really pay this tax, but that it falls on the consumer. He tells us the great misery they suffer is that they have to assess themselves and be judges in their own case. I can quite understand the Chancellor of the Exchequer and those who represent the Government objecting that persons on whom the tax is imposed are from the necessity of the circumstances judges in their own case—and no doubt that is the great defect in this Schedule, and affords an argument against it; but why persons who are the judges in their own case, and who, the hon. Gentleman says, invariably give themselves the benefit of the doubt, should object to that favourable position I cannot tell. When the hon. Gentleman talks about grievance and oppression, and tells us in the same breath that enormous frauds are committed, and that a great deal is not paid which ought to be paid, does he not show us that the grievance and oppression carry with them their own alleviation? I really wish to be serious. I do not want to offend the hon. Gentleman, but really it is difficult to be serious when such propositions are brought before the House; and yet, at the same time, I know that, when approaching this subject, we tread on delicate ground, for there are a great many people who do feel, and have been induced to feel by a long series of agitations, that there is great injustice in this tax. That is not my opinion. I believe, with Adam Smith, that every man should be taxed according to his ability. His ability, as Smith goes on to say, is the revenue which he derives under the protection of the State. I believe that to be sound ground. At any rate, if it is not so, we must not think we can amend the income tax, but we must give it up altogether. The notion of income is one very difficult to seize. It is like "now." In a moment it flies from you while you stop. It is the notion of a man's annual revenue abstracted altogether from the idea of the sources whence it comes and the purposes for which it goes. That is the idea of an income; and the moment you begin to say you ought to pay more on this Schedule and less on that, or abolish, as the hon. Gentleman says, a Schedule altogether, you are not amending the income tax, but destroying it, and making, instead of it, an unfair and bungling property tax. Unless you look at income without reference to the sources whence it comes or whither it goes, it is impossible to maintain an income-tax by any argument. You cannot make any difference by looking at the destination of income; and whencesoever it comes, if it is raised under the protection of the Government, it ought to contribute to the Government. The real evil of the income tax, in my judgment, is not that it is levied in a partial manner on land, or realized property, or profits of trade, but that, from the necessity of the case, persons having such income as that included in Schedule D are judges in their own cause, and that this in many instances holds out a temptation to those persons to give too favourable an interpretation of the amount of their liability. But to say that there is an objection to income tax is only to say that this tax is a tax; for the ingenuity of the human mind never did and never will devise a tax to which there are not objections more than plausible, and which would be absolutely convincing and irresistible if taxation were not a necessity. I am quite sure it is not necessary for me to take up more of the time of the House in resisting the proposition of the hon. Gentleman.

Mr. WHALLEY said, he fully admitted that he had not done justice to the cause that had been committed to him, and that he was an unskilful advocate; but he considered that the right hon. Gentleman was discourteous in his criticism of the gentlemen who had committed the question to him. The right hon. Gentleman had no business to be discourteous. He was young in his place. The right hon. Gentleman had exceeded all ordinary license. ["Oh, oh!"] He had not only been discourteous, but impertinent—["Order"]—in the observations he had made. He assured the House he was labouring under a very severe cold. It was very little importance to him what opinion the right hon. Gentleman might hold of him; but it was unfair of him to have spoken as he did of those gentlemen who had signed the Petition. Of this the right hon. Gentleman might rest assured that the matter would not rest where it was. The House must excuse him if he put them to the trouble of dividing. ["Withdraw."] His right hon. Friend the President of the Board of Trade, he observed, wished him to withdraw his Motion. Well, at the request of his right hon. Friend he would withdraw it.

Motion, by leave, *withdrawn.*

METROPOLITAN POOR ACT (1867) AMENDMENT BILL.

LEAVE. FIRST READING.

Mr. GOSCHEN, in moving for leave to bring in a Bill to amend the Metropolitan Poor Act (1867), said, he had hoped to be able that evening to make a statement explaining the results of the Metropolitan Poor Law Act of 1867, but as such a statement would entail the necessity of laying a number of statistics before the House, he should scarcely be justified in entering upon the subject at that hour. He would therefore merely state that the object of the Bill was to amend and not to repeal any part of the Act of the right hon. Gentleman opposite (Mr. Gathorne Hardy). With the permission of the House, he should wish to be allowed to reserve a full statement of the details of the Bill until the second reading, which he hoped to be able to fix for the first Thursday after the Recess.

Mr. GATHORNE HARDY trusted that the right hon. Gentleman would give him notice if he intended to make any observation on what he had said or done with regard to the subject.

Mr. GOSCHEN promised to comply with the right hon. Gentleman's request.

Motion *agreed to.*

Bill to amend the Metropolitan Poor Act (1867), *ordered* to be brought in by Mr. Goschen, Mr. Arthur Peel, and Mr. Ayrton.

Bill *presented*, and read the first time. [Bill 53.]

PRINT WORKS REGULATION.

RESOLUTION.

Mr. CHARLEY trusted that, as a new Member, and as the representative of the working man, he should not ask the indulgence of the House in vain while he drew attention to the subject of the employment of women and children in print works. Under the existing law male children above the age of eight years and under the age of thirteen, and girls above the age of thirteen and under the age of sixteen, and women above the age of sixteen, might be employed for sixteen hours in one day in print works. This arose from the peculiar definition given to the words "day" and "night" in the 8 & 9 *Vict.* c. 29, whereby the word "day" was defined as being from six in the morning until ten at night, and the word "night" as being from ten at night until six in the morning. Boys above the age of thirteen could be employed from day to day continuously, without any interval being allowed for either meals or sleep. The educational clauses of the Print Work Acts were very defective—so much so that he understood that the inspectors had given up the attempt to work them in despair. Under those clauses a child was only required to attend school for thirty days in the half-year, and those days were to be continuous, so that a child might be at work for five months in the half-year and only one month at school. Of course, such a system of education was practically useless. The working men proposed to assimilate the Print Works Act to the Factory Act, under which young persons, women and children, could only be employed from six in the morning until six at night in factories; and under the educational clause a child must be instructed for three hours every day in the year except Saturday, and if the child was employed for ten hours in any one day it was to attend school for five hours during the following day. Nothing could be more easy than to apply the principle of the Factory Acts to the print works. It was almost superfluous for him to endeavour to point out the evils arising from the present system adopted in print works. Attention had been drawn to them in 1855, in a Report signed by four factory inspectors. In that Report these inspectors said that the school attendance under the Print Works Act was only a farce and a mischievous delusion, and that there was nothing peculiar in the labour in print works that would prevent the provisions of the Factory Acts being applied to those establishments. That Report was presented to both Houses of Parliament fourteen years ago, but no action whatever had been taken upon it. In 1867 a joint Report was presented by two factory inspectors—Messrs. Redgrave and Baker—which contained a similar suggestion, and stated that the Print Works Act had caused great dissatisfaction in many localities. From the hours she was at work it was impossible for a woman, employed in the print works, to attend to her household duties, and she was obliged to get up at two or three in the morning in order to do her washing and mending; to look after her children was, of course, an impossibility. The consequence was that the children were brought up without education, and were put out to nurse—a practice which led to great infant mortality. Of course, the young men engaged in these works did not go to any mechanics' institution, because they would not pay their money in advance when they were subject to be called upon to work continously night and day. Under these circumstances it was not surprising that they could neither spell nor do a small sum in arithmetic. There were, however, two honourable exceptions to this system in establishments where the provisions of the Factory Acts were adopted with the most satisfactory result. When the attention of the Select Committee, which was appointed in 1867, was drawn to these facts they suggested that a Royal Commission should be appointed to inquire into the question. A Royal Commission, however, was not appointed, but a gentleman named Wright was sent down two years ago to inquire into the matter, but he had not yet made his Report. This was not a party question. Some years ago no doubt it would have been. Many gentlemen then in the House, of advanced Liberal views, were opposed to factory legislation, on the ground that it violated the principles of political economy. Factory legislation was denounced by the right hon. Gentleman the President of the Board of Trade, with all that eloquent vehemence of which he was so great a master. But the right hon. Gentleman had recently acknowledged that he then made a mistake, and that on that subject, at least, he was radically wrong. He was not aware that the right hon. Gentleman at the head of the Government had ever lifted up his voice against factory legislation, though the first vote he gave was a silent vote against it. Recently, however, he too, had changed his opinions, and a letter, written by the direction of the right hon. Gentleman, and bearing the date of the 25th of February, 1867, expressed his disposition to take a favourable view of the operation of the Factory Acts. No doubt it would involve a violation of the principles of political economy if the House were to interfere in contracts between man and man. Here, however, the case was different; the interference of legislation was sought on behalf of women and children, who, unlike men, were unable to protect themselves. Women and children, it must be remembered, were exposed, not merely to the cupidity of employers, but to the cupidity of those who ought to be their protectors—their fathers, brothers, and husbands—who frequently sought to live in dissipation upon the earnings of those whom they ought to shelter. He knew that this question was a large one, and that it extended not merely to print works but to the case of workshops and bleach works as well. His Motion, however, was confined at present to print works merely. He knew that the Secretary of State for the Home Department was anxious to do what he could in the matter, and he therefore asked him to give an assurance, if possible, that a measure for assimilating print works to factories would be introduced in the present Session. If the right hon. Gentleman were unable to give such an assurance, he would himself,—though but a new Member and occupying a very humble position—be happy to introduce a Bill, upon the understanding that every reasonable facility for its progress would be afforded. He hoped he should not be met with the objection that the Irish Church would engross the whole of the attention of Parliament this Session. The Reform Bill in 1867 and the Irish Church in 1868 prevented legislation in those years, but he hoped legislation in reference to the present works would not be further delayed. The Irish Church question admittedly was but a sentimental grievance, while the grievances he had mentioned affecting English women and children were a practical and most serious wrong.

MR. WHEELHOUSE seconded the Motion, and on the part of the constituency which he represented, forming one of the largest hives of industry in the country, endorsed the statements made by the hon. Member for Salford (Mr. Charley). His only question was whether the same measure might not only include print works, &c., in large towns, but dye and other works.

Motion made, and Question proposed,

"That, in the opinion of this House, the hours of toil of the women and children employed in Printworks ought to be assimilated to the hours of toil of the women and children employed in factories."—(*Mr. Charley.*)

MR. WILBRAHAM EGERTON said, he thought the House was discussing the question rather prematurely, and he expressed an opinion that it would be better to wait until they had received the Report of the gentlemen appointed some time since to inquire into and report upon the subject. For several years he had been in constant communication with the working classes of the northern division of Cheshire, and he could testify that their feeling was entirely in favour of the operation of the Factory Act. He was informed that —under a pressure of business—the women and children in print works were worked sixteen hours a day. Now, that was a state of things which everyone would wish to see altered. The Factory Acts were found to work admirably, and the working men, who never before sent their children to school, expressed themselves satisfied with the compulsory attendance of their children at school. He thought it would be better to wait for the Report, and he hoped that when it was presented the House would be in a position to legislate this Session upon the question of long hours and education.

MR. BOUVERIE said, it was very natural that the hon. Member for Salford (Mr. Charley), should bring forward a question in which his constituents was largely interested. At the same time it would be only prudent to wait for the Report of the Commission. Whether circumstances had changed since then he could not say, but the reason given at the time why print works were not placed on the same footing as ordinary cotton factories was that, owing to the nature of the business in them, there was at times immense pressure to fulfil foreign orders, requiring almost continuous work for several days together. It was then found that a Bill resembling the Factory Acts would cause such an interference with the ordinary course of the print works as to be intolerable. Whether the course of the trade had since been altered he could not undertake to say, but the matter was one of importance, and the hon. Member for Salford would do well to wait for the Report of the Commissioners. He did not see that the hon. Member would gain any advantage by the Resolution, because his proper course, if he thought the matter ripe for legislation, would be to bring in a Bill. It was, however, illogical and inconsistent to say, as he did by this Resolution, that an Act ought to be passed, and at the same time not to bring in a Bill. If the hon. Member induced the House to pass his Resolution he would be no nearer than before. The remedy was an Act of Parliament, if it could be passed without damage to the trade concerned, and he hoped that when the Report of the Commissioners was laid before Parliament it would appear that the change was both advisable and practicable.

MR. E. POTTER said, the question was before a Committee two years ago, when there was a disposition to go into the whole matter, but it was found that legislation at that time would be practically useless. In 1845 the first Print Works Act was passed, and the fact that fifteen years elapsed up to 1860 before legislation was again attempted, showed the difficulty of dealing with the question. He fully admitted that the existing law required amendment; but, as a magistrate, he had never met with a case of infringement in his own district. He believed that masters would be very glad if the Government would take up the question, all they wanted being a fair workable Act. The hon. Gentleman (Mr. Charley) seemed to have no idea of the difficulty of legislating, but the fact was that every trade and every branch of it required to be treated by itself. The earnings of the persons engaged in print works were much larger than those of any other class of persons engaged in manufactures. It was a healthy occupation, and the average age was better than that of any other class of manufactures. While the earnings of the workpeople were very large it was gratifying to be able to state that they were not spent in dissipation, and there was no better or more respectable class of workmen. The Report of the Commissioners would require careful examination; but from what he knew of the gentlemen engaged in the inquiry, he did not think there would be any great difficulty in legislating satisfactorily on this subject.

LORD JOHN MANNERS said, that the subject, so ably brought before the House by the hon. Member (Mr. Charley), was of great importance, and excited great interest in the manufacturing districts. The hon. Member for Salford must have derived great satisfaction and encouragement from the remarks of the hon. Member for Carlisle (Mr. Potter), which he hailed as a harbinger of the satisfactory settlement of the question, which had long agitated the minds of numbers. The right hon. Gentleman (Mr. Bouverie) said that the nature of the print trade was such that the provisions of the Factory Acts could not be applied to it. He could not forget, however, that a similar argument had been used year after year when it was proposed to apply the Factory Acts to bleaching, dyeing, and analogous works. It used to be said that it would be impossible in that case to carry out the orders of foreign houses; but at last that superstition was discarded, and now the Act was applied both to bleaching and dyeing works, and it was found that there was no real objection to the application of the principle and many of the details of the Factory Acts to these excepted works. Having been Chairman of the Committee to which reference had been made, he could confirm the statement that there was no reluctance on their part to go on with the inquiry, but in their opinion the reference from the House precluded them from going into that subject. They, however, accepted the proposition of an hon. Member to recommend the appointment of a Commission. He regretted that the Report of the Commissioner had not been laid upon the table; but he hoped to hear that a Bill would be before long, upon his Report, brought forward by the Government, and that the principle of the Factory Acts would be adopted and further carried out in these trades, with due provision for the special circumstance of the case.

MR. ALGERNON EGERTON said, that the workpeople employed in print works took a deep interest in the subject. The right hon. Gentleman (Mr. Bouverie) had truly stated that one difficulty in legislating on this subject arose from the peculiar state of the markets, which might render it necessary for these print works suddenly to turn out an increased quantity of work. The hon. Member for Carlisle had also correctly stated that the occupation was much healthier than that of persons engaged in other manufactures. Still, the House would see at once that the question was whether it was right that young children under fifteen and women should be allowed to work for a period so long as sixteen hours. He hoped the hon. Member for Salford would not press his Motion to-night, but that the Government would give a promise to legislate upon it.

MR. MUNDELLA agreed in the opinion that legislation was required. If the power to employ women and girls for sixteen hours were given, they might be sure that it would be exercised by some unscrupulous employers. As to what had been said about the pressure of foreign orders, that statement would apply not only to the print works, but to various other works. It appeared to him that the whole question of the Factory Acts required revision and assimilation.

MR. BRUCE said, that the Print Works Act was one of the earliest efforts of factory legislation, and it was defective and imperfect. As the noble Lord opposite (Lord John Manners) had stated, a Commission had been appointed by the late Government to inquire into the subject. He understood that the Report might be expected in a short time—soon enough to enable the Government to undertake legislation on the question. With respect to education and the limitation of the hours of labour, it would be necessary to introduce some change, and, he believed, there could be no doubt, especially after hearing the hon. Member for Carlisle (Mr. E. Potter) that alterations might be made without any injury to the manufacturers themselves, and with great advantage to those whom they employed. He could assure the House that the moment the Report was presented the Government would consider it, and no unnecessary delay should occur in proceeding to legislation. He hoped, under these circumstances, the hon. Gentleman would withdraw his Resolution.

MR. CHARLEY said, he was perfectly satisfied with the promise of the right hon. Gentleman that, upon receiving the Report of the Commissioners, the Government would take the question into their serious consideration and introduce a Bill.

Motion, by leave, *withdrawn.*

IRELAND—CITY OF DUBLIN ELECTION.

OBSERVATIONS.

MR. GATHORNE HARDY appealed to the hon. and gallant Member for Longford (Mr. O'Reilly) that, in consideration of the Attorney General for Ireland having moved for the production of the Report of the Judge who had tried the petition, he would postpone his Motion with respect to the City of Dublin election. It was most desirable that the action of that House should be in conformity with the decision of the Judge, and therefore it would be necessary that they should have an opportunity of seeing the Judge's Report.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, that as the matter affected a constituency so important as that of the City of Dublin, he thought it was but right the judgment of the learned Judge should be laid on the laid on the table before his hon. and gallant Friend's Motion was submitted to the House.

Mr. O'REILLY said, that after what had fallen from the two right hon. Gentlemen he should postpone his Motion until the judgment was laid upon the table.

Motion *postponed.*

SALMON FISHERIES (IRELAND) BILL.

LEAVE. FIRST READING.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan), in moving for leave to bring in a Bill to amend "The Salmon Fishery (Ireland) Act (1863)," and the Acts continuing the temporary provisions of the same, explained that, in 1863, an Act was passed of great moment to the salmon fisheries, and under it a Commission with extensive powers was constituted, and three Special Commissioners appointed under the Sign Manual, whose tenure of office was at the pleasure of the Crown. It was provided by that Act that the office of Commissioner should last for two years, and thenceforth until the end of the next Session of Parliament. By the 42nd section it was provided that on the determination of the office of the Special Commissioners all the powers and duties vested in them should be transferred to two permanent inspectors, to be appointed by and subject to the control of the Lord Lieutenant of Ireland, The office of the Special Commissioners was continued by several Acts of Parliament passed at various times, and ultimately. by an Act passed last Session, the office was prolonged till the 1st of August, 1869. In 1866, Captain Spratt and Mr. Lane were appointed Commissioners, and in 1867 Mr. Pattison was appointed third Commissioner. It appeared, however, from representations made to the Home Office, that certain differences had arisen between the three Commissioners as to the mode of working the Commission, inquiries which appeared to be absolutely unavoidable were made, and the conclusion arrived at by the Home Office was that the harmonious working of the Commission was impossible. In October, 1868, the Home Office intimated in distinct terms its intention that the Commission should cease and determine on the 1st of December last. When that day came the Home Office sent a communication to Dublin Castle that the Commission had terminated, but it appeared that no communication was made to the Commissioners themselves. On that day the Lord Lieutenant appointed Major Davis in their place as permanent inspector, and on the 4th Mr. Brady was appointed another. Soon afterwards the present Government came into Office, and Mr. Lane, one of the inspectors, wrote to the Government to say he was still a Commissioner holding his seat under the Royal Sign Manual, which had not been revoked, and that consequently the appointment of the permanent inspectors was illegal and invalid. The Home Office adopting the view that the Commission could not work harmoniously, revoked the appointment of the Commissioners by warrant under the Royal Sign Manual on the 30th of January, 1869. Having regard to the large jurisdiction vested in the inspectors, and the important rights which they had to decide, it was necessary to bring in a short Act of Parliament to solve the difficulties which existed, and enable the inspectors to be appointed under the Act of 1863, as if the office of the Commissioners had determined. It was most desirable that the measure should be passed as rapidly as possible. The right hon. and learned Gentleman concluded by moving for leave to bring in the Bill.

Mr. GATHORNE HARDY said, the learned Attorney General for Ireland had explained what took place with regard to the Fishery Commissioners to a great extent, but not quite accurately. While at the Home Office he received frequent complaints that the Special Commission, then consisting of two members (Captain Spratt and Mr. Lane) was at a dead lock, and that nothing could be done. He, accordingly, appointed a third Commissioner, as he believed admirably fitted for the position, in the hope that the Commission would be brought to an early termination, but, unfortunately — and he would not then say who was in fault—the same difficulties arose between the three Commissioners as had arisen between the two; the proceedings were protracted from month to month, and the Commission had cost the country £5,000 too much. After due inquiries, the late Government gave the Commissioners notice that their Commission would terminate on the 1st of December, 1868; and he regretted that the Royal Sign Manual was not then obtained to bring it then to a close. That omission, however, happened at a time when many circumstances were occurring, and when, as everybody knew, there was much business to be wound up. He was only sorry that he had not taken steps to terminate the Commission a year sooner, for such a course would have saved the country much money.

MR. DENT said, he wished to say a few words on behalf of a brother officer, Captain Spratt, who, he thought, might have been mentioned with more respect.

MR. GATHORNE HARDY: I beg the hon. Gentleman's pardon. I have not said a word against Captain Spratt.

MR. DENT said, he was aware of that; but still his name was mentioned in such a way as to pass over the fact that Captain Spratt's conduct was approved, as he understood, by the right hon. Gentleman himself. [MR. HARDY made a gesture of assent.] Captain Spratt was a distinguished officer, and his name ought not to be mixed up with others, as if he were to blame equally with them.

SIR HERVEY BRUCE must say a word on behalf of Mr. Lane, whom he had always found most courteous and attentive to the duties of his office.

COLONEL WILSON-PATTEN suggested that it would be only fair towards all the parties concerned that the correspondence on the subject should be produced, when the House would see that the late Government were perfectly justified in endeavouring to put an end to the Commission. On looking over the proceedings of the Commission he was surprised at the way in which the public money had been wasted. He should support the Bill, because he thought it was absolutely necessary that the Commission should be put an end to.

MR. HILL remarked that the correspondence showed that Mr. Pattison, who was called in as umpire, had fulfilled his duties in an unexceptionable manner.

MR. CHICHESTER FORTESCUE said, he thought it desirable that the correspondence should be laid on the table, and he understood its production would be moved for by his hon. Friend behind him.

Motion *agreed to.*

Bill to amend "The Salmon Fishery (Ireland) Act (1863)," and the Acts continuing the temporary provisions of the same, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 56.]

PARLIAMENTARY AND MUNICIPAL ELECTIONS—SELECT COMMITTEE.

MR. BRUCE moved that the Select Committee on Parliamentary and Municipal Elections do consist of twenty-one Members.

MR. MORRISON said, he hoped the right hon. Gentleman the Home Secretary would consent to add to the Committee a Gentleman in whom a large section of the community would repose confidence with regard to the question of throwing the expenses of elections on the rates. The hon. Member for Brighton (Mr. Fawcett), had introduced a Bill on the subject, which was exciting very great public interest, and he had only been defeated on the second reading by a small number of votes. It was also desirable, in his opinion, that there should be on the Committee a Member who supported the adoption of representation by minorities, and the scheme of personal representation which was rapidly gaining favour among thinking people, and especially among the working classes. On a future day, therefore, he should propose that the Committee should consist of twenty-two Members, and that the name of his hon. Friend the Member for Brighton (Mr. Fawcett), should be added to the Committee.

Motion *agreed to.*

Select Committee on Parliamentary and Municipal Elections to consist of Twenty-one Members:—The Marquess of HARTINGTON, Mr. GATHORNE HARDY, Mr. BRIGHT, Mr. HUNT, Sir GEORGE GREY, Mr. VILLIERS, Sir FREDERICK HEYGATE, Mr. BRAND, Mr. CROSS, Mr. WHITBREAD, Mr. RAIKES, Mr. LEATHAM, Mr. STAVELEY HILL, Mr. LOCKE, Mr. HENRY SMITH, The O'CONOR DON, Mr. GRAVES, Mr. DALGLISH, Sir MICHAEL HICKS-BEACH, Mr. JAMES, and Mr. HOWES:—Power to send for persons, papers, and records; Seven to be the quorum.

PARTY PROCESSIONS (IRELAND) BILL.

(*Mr. W. Johnston, The O'Donoghue.*)

[BILL 6.] SECOND READING.

Order for Second Reading read.

MR. W. JOHNSTON, in moving the second reading of this Bill, said, it would not be necessary for him to enter into the history of the Act of 1850, commonly called the Party Processions Act, but it might be as well to remind the House that that Act was passed in consequence of an occurrence which took place at Dolly's Brae, in the county Down, in 1849, where unfortunately blood was shed, and much ill-will produced between different classes of Her Majesty's subjects. The House would remember that, in 1848, there were exciting circumstances in Ireland. The Government of the day thought it right at that time to encourage the Orangemen to make a demonstration in the interest of law and order. It was supposed that there was likely to be a contest between the civil powers and that party, who, with honesty and sincerity, he believed, were anxious, although mistakenly, to obtain a separate and independent existence for Ireland as a separate kingdom; but they adjourned their little fight in 1848 to Dolly's Brae in 1849, and the consequence was found in the Act of 1850. That Act was brought in by Sir William Somerville, the then Chief Secretary for Ireland, on the 8th February. Hon. Members on his side of the House, he knew, had been found ready to accuse those on the other side of bringing in these repressive and penal enactments against the Orangemen and Protestants of Ulster; but he reminded the House that the Act of 1850 was not opposed by the Gentlemen who then sat on the Opposition Benches. That Act was supplemented, in 1860, by an Act called the Party Emblems Act, which was found to be so useless and irritating in its effects that it was permitted to expire in 1865, having only been enacted for five years. One provision of the Party Processions Act he objected to as being eminently calculated to provoke party animosity. The Act of 1850 was not held to apply to the O'Connell procession, which took place on the 8th August, 1864. The then Attorney General for Ireland said there was no ground for treating it as a party procession or an illegal assembly in Common Law, as there were no party banners or emblems, and no party tunes, and everything went off peacefully. It was alleged that green was not a party colour, and that the "White Cockade" and "Garryowen" were not party tunes. It was alleged, in fact, that everything on one side was of a party nature, while nothing on the other side partook of that character. It seemed that there was, with regard to this Act, a choice of three courses—to tolerate all demonstrations with green emblems, and put down all Orange demonstrations; to suppress all party demonstrations impartially; or to tolerate all peaceable demonstrations, whether Orange or green. The last course had been adopted in Canada, where at one time an irritating Party Processions Act was adopted and found to promote violence and bloodshed; but, by the unanimous consent of Protestant and Roman Catholic members, it was wiped off the statute book, and ever since the Orangemen had their demonstration on the 12th July, and the Roman Catholics had theirs on St. Patrick's Day, without any attempts to interfere with the liberty of the subject or with constitutional rights. When the feeling arose in the minds of the Protestants of Ulster that there was one law for the South and another for the North; that demonstrations of a certain character were to be tolerated south of the Boyne, and in the North other demonstrations were to be punished by imprisonment, a great deal of ill-feeling arose in Ulster. It was stated by that great organ of English public opinion, *The Times*, that it would be better to have no law at all against party processions than one which was so unequally administered as the law was in Ireland. In 1866 there was a change of Government, and it was believed that the Conservative party would deal more leniently with the Protestants and Orangemen of Ulster, who had assisted them to obtain place and power. It was not unnatural for the working classes of Ulster to expect more toleration from the Conservatives; but they were told by the noble Lord then the Prime Minister (the Earl of Derby) that the Fenian processions in the South were not illegal, and the same thing was reiterated by Lord Mayo. That was felt to be simply intolerable. The Orangemen found that they were prosecuted for peaceable and orderly processions. They had never asked that their Roman Catholic fellow-countrymen should be prosecuted for wearing green, but were ready to concede to them in the broadest spirit of liberality the right to wear that colour, and to have party processions, provided they themselves had the same liberty. It would perhaps be in the recollection of the House that a prosecution was instituted against certain parties for taking part in a public demonstration at Bangor, on the 12th July, 1867, and afterwards, as a sort of set-off, a prosecution was instituted against some parties in Dublin for taking part in a Fenian procession. The prosecution in Dublin failed, however, but the prosecution in Down succeeded. He regretted that Lord Mayo was not now in the House to give an explanation of his Irish policy, and he (Mr. Johnston) must say that the people of Ulster looked upon his Lordship's transference from the misgovernment of Ireland to the government of India as a most mysterious dispensation of Providence. It was right that he should inform the House that previous to the Act of 1850 a Party Processions Act was brought in, in 1832, by Mr. Stanley, then the Secretary of State for a Whig Government, and afterwards a Conservative Prime Minister. If they were to have a Chapter of Autobiography, they might have one from that (the Opposition) side of the House, as well as from the Ministerial Benches. The Processions Act of 1832, however, was opposed by Mr. O'Connell, who, on the 25th June, 1832, declared in this House that there was not a Roman Catholic who did not rejoice that King William succeeded, and that King James failed, and who did not hold the character of the former in the greatest respect, and the character of the latter in the most sovereign contempt, and he therefore argued that there was no ground for considering Orange processions as an insult to the Roman Catholics. Mr. O'Connell also argued that the proposed Act was unnecessary, as the Common Law was sufficient for all purposes. Those were the words of a great man, and though he (Mr. Johnston) had the honor to be an Orangeman—for he considered it an honor—he would not be worthy of the name of an Irishman if he hesitated to pay a passing tribute to the memory of one who fought the battle well for his co-religionists in Ireland, and whom it was Ireland's proud boast to look upon as one of her most illustrious and famous sons. He was glad to know that the Motion for the second reading of the Bill was to be seconded that evening by a relative of the man who, in the year 1832, so energetically resisted that tyrannical enactment. It was said that those party processions were calculated to create animosity and to provoke breaches of the peace. Now he had sometimes attended trials under the Act from a feeling of interest, and he had once unfortunately done so when he could not help it; and he had never heard any evidence brought forward at those trials, except the evidence of policemen—who were ready to take their instructions from "the powers that be"—which would prove that the processions were calculated to provoke animosity, and lead to breaches of the peace. On one occasion a policeman was asked if certain occurrences were, in his opinion, calculated to create animosity, and he said they were. He was then asked if they created animosity in his mind, and his reply was "Oh no, not as a policeman." He (Mr. Johnston) was as strongly opposed as anybody could be to the carrying of arms in these processions, and as long as he had anything to do with political life he had deprecated, by every possible means, the carrying of even a pistol by a boy in an Orange procession. He believed, too, that if the Government, of whatever party, would undertake to protect the peaceable processions of the members of all parties, no arms would be carried on the one side or the other. He felt persuaded that more animosity was created by the present Act than by all the processions which it was intended to prevent. He would appeal to the Chief Secretary for Ireland, whether great irritation had not been produced by the partial administration of the Act, by its enforcement in the Northern districts of the country, and in its complete failure in the South. He was convinced that the Common Law was amply sufficient for the suppression of all offensive demonstrations, and he had received a letter from a gentleman who had formerly been a Crown Prosecutor under a Liberal Government, stating that at the Armagh Assizes, in Spring 1867, a number of persons who had taken part in an illegal procession had been indicted under the Common Law, and had all been convicted. If he was rightly informed, all the indictments that had been drawn under Government authority against persons taking part in party processions or illegal assemblies were, until a recent date, instituted at Common Law, and not under the Party Processions Act. He hoped, then, that the Government would give up this partial legislation, and would go back to the Common Law. He made no claim on the part of the Protestants or Orangemen of Ulster to exclusive loyalty; he believed there were other people in Ireland ready to rally round the Constitution and Throne of these realms. He had no desire to see the ascendancy of Protestants over Roman Catholics; he had no desire to see the members of one sect trample upon the members of another sect, or obtain privileges which were not conceded to the whole of their fellow-subjects. He only wished for fair play for the Protestants and Orangemen of Ulster. He only asked that fair play to them as well as to the Fenians should be included in the programme of justice to Ireland. He would beg to remind the House, in the eloquent words of Lord Macaulay, "That the path of justice is the path of wisdom." He asked the House and the Government to enter on the path of justice towards the Protestants of Ulster, and he would venture to say that they would find it the path of wisdom. He trusted that Ireland would soon cease to be the shuttlecock of parties. He hoped that the day was not far distant when people of all creeds would learn toleration. Let them put an end to injustice and wrong; let them aid in developing and protecting the industry and the enterprize of Ireland; let them legislate so as to protect the rights of labour as well as the rights of capital and property; let them respect the interests of the tenant-farmers and the artizans as well as of the employers and the landlords; let them give the people just laws fairly administered; and then he would venture to assure the House and the Government that Ireland would share in the welfare of the Empire, and rejoice in the glory of England. In conclusion he begged leave to move the second reading of the Bill.

The O'DONOGHUE rose to second the Motion in the anxious desire that the course he was taking might tend to promote the union of all classes of Irishmen. He was aware that the law which this Bill proposed to repeal was regarded with great aversion by his hon. Friend and those whom he represented. They complained that the Party Processions Act curtailed their liberty of action, that its provisions were never enforced except as against them, and that in its conception and by its operation it was intended to gratify Roman Catholics by the suppression of certain ceremonies to which a section of the Northern Protestants attached considerable importance. Although he was convinced that neither the framers of the Act, nor those who had prosecuted under it, were animated by those intentions, such motives were ascribed to them, and the belief was industriously kept alive in the North, producing an amount of irritation which did more than anything else to bring about those periodical manifestations which he on many grounds deplored. It was the duty of everyone to endeavour to dispel the illusion that class, or race, or creed furnished any ground upon which any man or body of men could claim special favour, and it was the duty of every one to propagate the doctrine that the State could recognize no distinctions incompatible with perfect religious equality. The interests of all Irishmen were inseparable, and it was the duty of all to obey the laws, and maintain their supremacy; and he was the best friend of his country who endeavoured to promote union by encouraging friendship amongst men of all classes and denominations. He could not give a greater proof of his desire to co-operate in that good work than by assisting the Member for Belfast in repealing this Act, which that hon. Gentleman and his friends believed to be of a partizan character. The main object of the Act was no doubt to prevent the recurrence of exhibitions which whenever they took place must necessarily wound the feelings of every Catholic. It might be said, "Do you, then, mean to give full scope to those who would insult and annoy your Catholic brethren?" His answer was that the law had failed to accomplish the aim proposed; that like all other penal laws it created and fostered a spirit of resistance to authority; and that, while partially removing from public view certain emblems much cherished by some, it had given fresh vitality to feelings and passions which would only yield to influences far different from those that a penal law could bring to bear. Violent measures only aggravated the evil they were meant to repress, and penal laws were powerless when opposed to sentiment and feeling; they could not substitute amity for enmity of heart; and until a change of that nature could be brought about in the North of Ireland there would continue there these scenes of strife which were a disgrace to our boasted civilization. He consented to the repeal of this Act because he had faith in the impartiality of the Executive, in the resources of the Common Law, but above all in the disposition of his Catholic brethren to make every sacrifice for the sake of union; and he believed it would be impossible for the generous and impulsive minds of Protestants in Ulster long to remain insensible to forbearance springing from so noble a motive. At all events, he was convinced that it was the duty of the Catholics of Ireland to make an effort, even at some sacrifice of feeling, to close divisions and heal wounds which were an incalculable weakness to Ireland. If peace and concord followed they would have proved this patriotism, and if discord continued they would have shown that they had done their best to put an end to it. He regretted the manifestations which annually occurred in the North of Ireland on the occasion of certain anniversaries, not on account of the recollections which they suggested, but because they indicated an unwillingness on the part of Protestants to amalgamate with their fellow-countrymen. The struggle which took place at the Revolution might be said to have involved a two-fold issue — the foundation of the Protestant monarchy in these kingdoms and the establishment of Protestant ascendancy. The Catholics, in the first instance, yielding, no doubt, to necessity, accepted the two-fold result, but with the reservation that they would assert for themselves the exercise of the most sacred prerogatives of conscience. No one could contend that a Protestant monarchy necessarily implied Protestant ascendancy. The Catholics were ready to fight for a Protestant monarch, and they admitted the virtues in social life of their Orange fellow-countrymen, but the latter must not object to the Catholics claiming equality with them. All must admit that the Catholics had done their part; that the Protestants had no just ground of complaint against them, and that it was foolish and barbarous to perpetuate feuds by the annual revival of bitter strife and by the assertion of pretensions which were inadmissible because they were unjust. He would remind his hon. Friend that the vast majority of the Protestants of these kingdoms were quite as much against Protestant ascendancy as the Catholics. His hon. Friend had referred to processions in other parts of Ireland besides the North; but there was no analogy between them to warrant the inference he drew. It was only proper to consider whether the objects and intentions of the processionists were morally and legally legitimate. With regard to the O'Connell procession, to which his hon. Friend had alluded, that was intended to celebrate the partial emancipation of the Catholics from a position of political and social inferiority, and to inaugurate the erection of a statue in memory of one who was regarded as a benefactor of his race. There was not the slightest ground to suppose that it was meant to give offence to anyone. But if secret processions were held two or three times in the year, they would become a nuisance; and if they were formed in districts where they were likely to lead to disturbances it would be the duty of the Catholics to abandon them, no matter how good their object might be. No one knew better than his hon. Friend that it was impossible to show that the Catholics were actuated by any intentions inimical to their Protestant fellow-countrymen. If they wanted an extended franchise, and the ballot to enable them to exercise it freely, the Catholics were willing to help them to get both the one and the other; and if they desired security of tenure to enable them to live for ever on the soil of Ulster, they might count on the earnest support of the Catholics in the accomplishment of their wishes. They were both destined to dwell together in the same land, and it was their duty to unite together as the citizens of one common country. How could this be done? Certainly not by the annual recurrence of processions to remind them of the time when their ancestors were arrayed in hostile bands. He would, therefore, appeal to his hon. Friend to use his great influence to put an end to distinctions which must lead to disunion, and could not be productive of one single good result. In that appeal he was sure he would be supported by the majority of that House and by the people of England. The policy had been abandoned for ever which was embodied in the words "divide and govern," and henceforth justice, which knows no distinction of race, creed, or class, was to be the great principle of government.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. W. Johnston.*)

Sir FREDERICK W. HEYGATE said, that last year, at a late period of the Session, he gave notice of a Bill, similar in effect to the present one, on account of the strong feeling he entertained that immense injustice was practised on one particular party by the manner in which the Party Processions Act was carried out. He had been blamed for not proceeding with that Bill, but he could not proceed with a Bill without the support of either one side or the other. His own party said the great measure—the Reform Bill then before the House—must have the precedence of all legislation; and from the other side, with some few exceptions, he received no support. Since then there had been a General Election, and these reasons were all changed, and the measure was now taken up by both sides. Many friends of his thought this so important a measure, that it ought only to be proposed by the Government, and then only in case it could be proposed with perfect safety to the country. But it had always appeared to him that the Act had this peculiar disadvantage—it left a jury to say how far these processions were within the law, while, in almost every instance, it was most difficult to define what was the intention and object of the processionists. He therefore thought it better to trust a generous nation like the Irish, and leave the future to the ordinary law of the land. He hoped he would sooner or later see this Act disappear from the statute book. [*Cheers.*] He was delighted to hear such generous sentiments emanate from the other side of the House; he was only sorry he did not hear them oftener. But why were those on that side of the House again twitted with a desire for Protestant ascendancy? For himself he must say he never had any feeling of ascendancy; it was only because Protestants belonged to a religion which was not that of the great body of the people in Ireland, and because they lived under a Protestant Queen and a Protestant Church, that they were taunted with Protestant ascendancy. He hoped they would be able to put an end to those acrimonious debates which formerly only contributed to the amusement of the House, and if the Government thought they could take the responsibility on themselves of repealing the Party Processions Act, he was sure they would be supported by all the Members from Ulster and many others on that side of the House.

Mr. Serjeant DOWSE said, he must strenuously oppose the second reading of this Bill. If the Party Processions Act were repealed it certainly would lead to a breach of the public peace. He felt very strongly the arguments which had been urged by his hon. Friend the Member for Belfast (Mr. Johnson) and his hon. Friend the Member for Tralee (The O'Donoghue); he also agreed in a great deal of what had been said by the hon. Baronet the Member for the county of Londonderry (Sir Frederick Heygate); but he did not think the House should consent to the second reading of this Bill, which had been proposed so fairly, so calmly, and so eloquently, by his hon. Friend. He believed the Common Law was not sufficient to put down party processions in Ireland, and there was great wisdom in the Act which had been passed for the purpose of curing the defects of the Common Law. The Legislature thought the jury, especially with the musical education they received in the North, would be able to tell what was the meaning of a party tune, and not being colour-blind, that they would be able to tell what was the meaning of a party emblem, and therefore all the jury had to do was to say whether there had been a procession of 100 or 200 persons playing a party tune and having a party emblem calculated to excite animosity. The law said that was an unlawful assembly. He spoke as a Protestant and as a Liberal; above all, he spoke as an Irishman. He wished to represent in that House the feeling of his Catholic as well as his Protestant fellow-countrymen—he was strongly of opinion that if this Act were repealed it would lead to something which every lover of his country would afterwards have to deplore. He would trust the Orangeman in many things. He believed they were a plucky and independent race, and he did not think they would allow themselves to be dragged along by an oligarchy. He thought the return of his hon. Friend the Member for Belfast a proof of their independence; but he did not want to put the Orangemen of Ireland on their mettle yet. He wanted to give them a little more time to complete their political education. He wanted to disestablish the Irish Church, and when that badge of ascendancy was removed under the first Statesman of the age, when that Magna Charta of Irish liberty was passed—he would say when they enjoyed religious and social equality in Ireland. The Orangemen would give up the party processions of the 12th of July rather than vex their neighbours, just as we had given up the celebration of the 18th of June rather than vex an Imperial neighbour. All the Catholics in the North of Ireland were not as well read in the history of the British Constitution as the hon. Member for Tralee, and, as regarded the Protestants, he thought it would be as well if they would let King William rest in his grave, and not bring him up every 12th of July. If this Bill were passed, it would lead to misconception, and the Orangemen of Ireland would feel that they were at liberty to do as they pleased on the 12th of July. Processions would take place, many of them, no doubt, would be peaceably conducted, but others would lead to bloodshed. He should vote against the second reading if it were pressed to a division.

COLONEL STUART KNOX regretted that the hon. and learned Member (Mr. Dowse) should have made his maiden speech for the purpose of crying down the Protestants of Ireland. Every true Protestant should rally round an institution which had more than once stood between the Crown and revolution. The Prime Minister was about to throw the Bible on the floor of the House—he was going to treat the Protestants of Ireland worse than Mrs. Star treated Miss Saurin, for, did she not leave her one tunic? He was proud to belong to that glorious Orange society which they should look to to protect them, not only from the right hon. Gentleman (Mr. Gladstone), but from those who wished to destroy the Church in Ireland. He had not always approved of the conduct of the hon. Member for Belfast, because he considered it the duty of every Orangeman to obey the law, whether it were harsh or not; but the law should now be repealed, and Protestants be placed in the same position of equality as the right hon. Gentleman told them he was going to place other Irishmen. He trusted that the Government would not come forward and propose a Committee or a Commission or any other "dodge" to keep the Orangemen in suspense for some time longer.

CAPTAIN STACPOOLE moved that the debate be adjourned.

SIR HERVEY BRUCE said, he did not approve of the celebration of the Protestant anniversaries; but, on the other hand, he did not see why processions should be tolerated in the case of those who were not loyal to their country.

MR. MACARTHY DOWNING rose to Order. The hon. Gentleman had no right to speak on the Main Question.

MR. SPEAKER ruled that the hon. Baronet was in Order.

SIR HERVEY BRUCE said, he wished to throw oil on the troubled waters. [*Laughter.*] Hon. gentlemen might laugh, but he despised such conduct. While in one part of the country loyal men who broke a law with regard to processions were convicted by juries and punished, in another, men, who had not the same loyalty, indulged in similar conduct with impunity. That was a state of things which ought not to continue. He hoped that he should see no more Orange processions in Ireland, for he altogether disapproved of them.

MR. CHICHESTER FORTESCUE thought the House would agree with him that the proposal to adjourn the debate was a reasonable one, because the discussion could not be concluded that night with satisfaction to either side of the House. It was the desire of the Government that the Bill should be thoroughly discussed, and it was his desire to take a proper, and, he hoped, an early opportunity, of making a full statement on the part of the Government, both of the information in their possession on this much disputed subject, and of their views as to what ought to be done. These were good reasons for adjourning the debate. He did not think the time passed that night had been wasted, because they had heard two remarkable speeches, considering not only their ability but the quarters from which they came. He referred to those of the Mover and the Seconder of the Motion. The speech of the hon. Member for Belfast (Mr. Johnston) was not only able, but moderate and large-minded, and it came from a Protestant of the Protestants and a Saxon of the Saxons. Its sentiments were echoed in the same spirit by a Member (The O'Donoghue) of another religion from the most opposite point in Ireland, both in geography and in religion. Whatever might become of this Motion, these things augured well for the future of Ireland. As they had spent an hour and a half to such excellent purpose, he thought the House would agree it was impossible to conclude the debate at such an hour.

Mr. VANCE said, that if it had been stated to which day the debate was to be adjourned, perhaps the opponents of the Bill would be more forbearing. The House ought to know when the debate would be resumed.

Mr. GLADSTONE said, it was impossible for them to name a day when the debate should be resumed. The second reading of the Irish Church Bill was fixed for Thursday next, and consequently he could not now name a day with confidence. It was not desirable that the discussion should be long postponed, and he would give every facility for its being resumed on an early day.

Lord HILL-TREVOR said, it was extremely desirable that the discussion should not be postponed. The people of the North of Ireland were looking with intense interest to the result of the discussion.

Mr. WHALLEY said, no conclusive reasons had been given for the adjournment of the debate. Half-past one o'clock was not a late hour to continue the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Stacpoole.*)

The House *divided*:—Ayes 113; Noes 70: Majority 43.

Debate *adjourned* till *To-morrow.*

Mr. Chichester Fortescue

DESPATCH OF BUSINESS IN PARLIAMENT.

Lords' Message [15th March] *considered.*

Mr. GLADSTONE called the attention of the House to the fact that the Lords had appointed a Committee to inquire into the Business of Parliament. He said this was of itself a sufficient reason for this House to appoint a Committee to confer with them. He would therefore move "That a Select Committee of Six Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of Monday, 15th March, to consider whether any facilities can be given for the Despatch of Business in Parliament, especially in regard to the relations of the two Houses."

Motion *agreed to.*

Ordered, That a Select Committee of Six Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of Monday 15th March, to consider whether any facilities can be given for the Despatch of Business in Parliament, especially in regard to the relations of the two Houses:—Committee *nominated:*—Sir George Grey, Mr. Disraeli, Mr. Bouverie, Mr. Walpole, Mr. Dodson, and Colonel Wilson-Patten:—Power to send for persons, papers, and records; Three to be the quorum.

Message to The Lords to acquaint them therewith.

TURNPIKE ROADS BILL.

On Motion of Mr. Whalley, Bill to enable parishes in England and Wales to provide for the maintenance of Turnpike Roads within their respective districts as Public Highways, and to discharge the debts due thereon by parochial assessment or voluntary commutation, *ordered* to be brought in by Mr. Whalley and Mr. Blake.

Bill *presented,* and read the first time. [Bill 52.]

LAND TAX COMMISSIONERS' NAMES BILL.

On Motion of Mr. Ayrton, Bill to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes, *ordered* to be brought in by Mr. Ayrton and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 54.]

DRAINAGE AND IMPROVEMENT OF LANDS (IRELAND) SUPPLEMENTAL BILL.

On Motion of Mr. Ayrton, Bill to confirm a Provisional Order under "The Drainage and Improvement of Lands (Ireland) Act, 1863," and the Acts amending the same, *ordered* to be brought in by Mr. Ayrton and Mr. Chichester Fortescue.

Bill *presented,* and read the first time. [Bill 55.]

LORD NAPIER OF MAGDALA [SALARY] BILL.

Resolution *reported;*

"That it is expedient to enable Lord Napier of Magdala to receive the full benefit of his Salary as Member of the Council for the Presidency of Bombay, or as holding any other office in India, notwithstanding his being in receipt of an Annuity granted to him under the Act thirty-one and thirty-two Victoria, chapter ninety-one."

Resolution *agreed to:* — Bill *ordered* to be brought in by Mr. Dodson, Mr. Grant Duff, and Mr. Stansfeld.

Bill *presented,* and read the first time. [Bill 57.]

House adjourned at Two o'clock.

* * *

HOUSE OF COMMONS,

Wednesday, 17*th March,* 1869.

MINUTES.] — Select Committee—Dumfriesshire Writ, Turnpike Acts Continuance, *appointed;* Poor Law (Scotland), *appointed* and *nominated.*

Public Bills—*First Reading*—Brazilian Slave Trade * [58].

Second Reading—County Courts [9], *debate adjourned;* Revenue Officers [14], *negatived;* Libel [17], *debate adjourned;* Land Tax Commissioners' Names * [54].

Third Reading—East India Irrigation and Canal Company * [8], and *passed.*

DUMFRIESSHIRE WRIT.

Resolution [15th March] reported from the Select Committee on Members holding Contracts (Sir Sydney Waterlow) read, as followeth:—

"That Sir Sydney Hedley Waterlow is disqualified, under the Statute 22 Geo. 3, c. 45, from sitting and voting as a Member of this House."

Resolution read a second time, and *agreed to.*

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Knight to serve in this present Parliament for the County of Dumfries, in the room of Sir Sydney Hedley Waterlow, who is incapable of sitting and voting as a Member of this House under the Statute 22 Geo. 3, c. 45.

COUNTY COURTS BILL. [BILL 9.]

(*Mr. Norwood, Mr. Akroyd, Mr. Mundella.*)

SECOND READING.

Order for Second Reading read.

Mr. NORWOOD, in moving that the Bill be now read the second time, said, that the object of the measure was to relieve manufacturers and wholesale dealers from the serious hardship to which they were subjected by a provision of the County Courts Amendment Act of 1867. By the clause to which he referred, to recover a debt not exceeding £50, the plaintiff must bring his action within the district where the defendant resides, or carries on his business—a provision which operated very harshly. For instance, a manufacturer at Manchester or Birmingham might sell goods upon credit to a trader residing in a small town at a considerable distance, and if the debtor neglected to pay, the plaintiff had to go to the County Court of the district where the defendant lived and prove his debt, often at an expense—putting out of view the trouble and inconvenience—very nearly as great as the sum claimed. He proposed to meet the hardship of the case in this way—In the case simply of goods sold and delivered in the course of trade, and in no other, he proposed that the plaintiff might, upon filing an affidavit, institute his suit in the County Court of the district in which he resided. Though at the first blush there might appear to be a hardship to the debtor in compelling him to defend himself in the County Court of the plaintiff's district, there would be really none at all, because in nine cases out of ten there is no defence, and judgment goes by default. The practical result of the existing state of the law was that many wholesale houses refused to give credit on small accounts, because the expense and trouble of obtaining payment was almost worse than the loss itself. But to prevent the possibility of hardship to the debtor, he proposed to insert a clause to this effect—that on the defendant receiving from the County Court of the plaintiff notice of the plaint, he might go to his own County Court, and upon stating that he had a good defence, and paying into court a reasonable sum to cover probable costs of plaintiff and his witnesses, the action might be brought there. Several Chambers of Commerce, and among them those of Worcester and Wolverhampton, were in favour of the Bill, and the question having been brought before the Associated Chambers of Commerce they had passed an unanimous resolution that there ought to be an alteration of the law. The Incorporated Law Society of London had intimated their satisfaction with the measure, with the exception of some trifling details which they would have altered; they had even asked him to go further, and not to restrict its operation to the sale and delivery of goods, to which it was confined. But there was higher authority still in its favour. The committee of County Court Judges appointed by the Lord Chancellor to take into consideration all questions affecting County Courts had, through their secretary, sent a communication entirely approving his Bill, and making suggestions the more effectually to meet any cases of hardship. To show the necessity for a change in the law, he might mention that it appeared from a Return that in 1866, out of 872,437 plaints issued, there were only 8,874 decisions in favour of the defendants, and more than half the plaints were decided without trial at all. That fact would abundantly support his statement—that the great bulk of the actions to which he alluded were positively undefended. Another thing that he proposed to do was to give a summary jurisdiction with reference to cases of tradesmen's dishonoured acceptances below £10, for there was an immense number of them which ranged between £10 and £5. Now, it was in the interest of the small tradesmen themselves that reasonable facilities for the recovery of debt should be afforded, because they depended upon the credit given by the wholesale houses, and that would not be given freely where those houses possessed no proper protection. He anticipated active opposition to the Bill, but he besought the House to weigh sufficiently the interests of the commercial classes in a matter so widely affecting their interests.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Norwood.*)

Sir FRANCIS GOLDSMID rose to move that the Bill be read a second time that day six months. He thought the Bill open to the objection of being at once too extensive and too narrow—too extensive as comprising things which did not, and too narrow as not comprising things which did, fall within the mischief intended to be remedied. The case which the hon. Gentleman sought to make out was that of the inconvenience and damage caused by the present state of the law to wholesale traders in their dealings with the retail trade. But he (Sir Francis Goldsmid), had heard, over and over again, that the retail traders were subject to quite as much inconvenience from unpaid debts as the wholesale. Tailors, for instance, were obliged to charge their paying customers much more than they otherwise would, in order to recoup themselves for losses from customers to whom they gave credit, and who did not pay. But it was not suggested that retail traders would be benefited by the proposed enactment. On the other hand, he would show that this Bill would extend to persons as to whom the hon. Gentleman had made out no case, and whom he did not intend it to affect. The 2nd clause applied to actions for the price or value of goods sold and delivered to the defendant to be dealt with in the way of his trade, profession, or calling. If that clause were adopted, such cases as these might occur. An artist, for the colours to be used in the painting of his pictures, a schoolmaster for school requisites, a clergyman for the paper on which he might have written some excellent theology, might each be brought from one side of the kingdom to the other to defend an action—in a case, where, perhaps, an overcharge had occurred—simply because they made use of the things supplied in the way of their profession or calling. The hon. gentleman had assumed that in almost all instances the plaintiff was in the right, and he instanced the large number of cases which were undefended. But that was owing to the present state of the law, and was no reason for altering it, since if we gave facilities for bringing actions carelessly, they were sure to be brought. Now, if the House considered to which party the greater inconvenience would be occasioned by a cause being tried at a distance from his place of business, they would find that it would be to the retail trader, because the wholesale dealer had a number of travellers who were constantly going about, and it might be no great hardship to have one of them attend to prove the debt. It would be quite otherwise with the retail dealer, who might be called from one end of England to the other in order to defend the action. Then the 3rd clause was even worse, for it proposed to give the holder of a bill of exchange the right to sue in the district in which he carried on business. Every gentleman who, whether from being engaged in commerce or otherwise, had acquired any knowledge of bills of exchange must be aware that it was of their very essence to be transferable from holder to holder. Now, any man taking a bill of exchange either knew or might easily ascertain where the acceptor was, and therefore where the holder had to sue. But if this Bill passed the unfortunate acceptor never would have the slightest conception where he was to be sued, because the bill of exchange might at one moment be held in Northumberland, at another in the neighbourhood of Land's End. That would afford the greatest encouragement to unfair actions. Commercial men might, no doubt, be well aware where the shoe pinched; but, speaking as a lawyer, he ventured to say that they did not always know how to prevent its pinching. Believing that the object of the Bill was ill defined, and that its provisions were ill calculated to effect that object, he begged to move that the Bill be read the second time that day six months.

MR. WATKIN WILLIAMS, in seconding the Amendment, said there were several grounds which might fairly be put forward in opposition to that Bill. One of the most important of those grounds was that it was unwise and impolitic to legislate on this subject in the way of reforming one branch of our system of judicature when the whole of that system required, and would, he believed, shortly undergo a thorough reform. The present County Courts were established in 1846 to give cheap and speedy remedies for the recovery of small debts. For that purpose they proved successful; but from time to time a continual course of casual and piecemeal legislation had been adopted in regard to those courts, which had entirely altered their original character and objects. Their jurisdiction had been successively extended to Equity, Admiralty, and Bankruptcy cases, in addition to questions of Common Law; and, not only had the Judges of those courts to perform their multifarious duties without a Bar to assist them, but, to add to their difficulties, they had to administer all those various branches of the law subject to different courts of appeal, each governed by different, and sometimes conflicting, legal principles. Their decisions were liable to review in Equity cases by the Court of Chancery; in Admiralty cases by the Court of Admiralty; and in Common Law cases by the Common Law Courts. The result of that state of things did not redound to the credit of our system of judicature; and it arose from the fact that small Bills of that kind were allowed to pass through Parliament almost without attracting any attention, until, by degrees, the whole law of England was fundamentally altered and thrown into confusion, and the odium of it was cast upon the lawyers. That was a system which it was their duty to oppose. The lawyers and the commercial men should join together in carrying out the reform of our system of judicature. A Commission was now sitting on that subject, whose Report might be expected very shortly, and they might hope that, from its recommendations, a complete and sweeping reform of that description would follow. He thought that all the different superior courts should be consolidated into one supreme tribunal, with universal jurisdiction, and possessing absolute and complete power to distribute the different classes of business amongst different branches of such tribunal, and to construct the necessary machinery for doing complete justice in every instance. In addition to that, let them have one final appellate court for the whole Empire. And, lastly, he would have all these County Courts made into distinct courts, associated with the supreme court, to bring justice to every man's door throughout the country; and the limit of their jurisdiction might be fixed at £100, £200, or £500, as might be deemed expedient. He believed that no obstacle would be raised by the lawyers to the adoption of such a reform, the interests both of the lawyers and of the commercial men being the same in that matter. With regard to the Bill then before the House, its 3rd clause, in his opinion, involved a mischievous principle, and would cause great injustice to acceptors of bills, who might be sued without notice and even without presentation. He did not refer to trade bills, but to bills of other classes. There ought certainly to be a summary remedy afforded in reference to bills of exchange, but the mischief of the clause applied to those numerous cases where bills of exchange had been improperly obtained, and where either nothing at all was due, or only a portion of the amount named in them was so. In many cases it would happen that an acceptor sued in a remote part of the kingdom by a pretended *bonâ fide* holder for value would find it more to his advantage to submit to some amount of extortion than to travel to that place with witnesses to defend himself.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Francis Goldsmid.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. MACFIE was disposed to reserve his judgment upon that Bill until they had heard the Attorney General's opinion of it. The present occasion, however, was, he thought, a good one for the House to consider the question of whether the codification of the commercial law was not desirable. Very great inconvenience arose from the difference in the law north and south of the Tweed, and it was especially desirable to consider whether Scotland should not be brought within the range of the English law where the English law was the best, and England also brought within the range of the Scotch law where the Scotch law was best.

MR. MORLEY desired to endorse the opinion which had been expressed by the hon. Member for Hull (Mr. Norwood), that the class of cases proposed to be dealt with under this Bill was one which called for attention at the hands of the Legislature. The fact that only one in ten of the actions brought in the County Courts was defended established this. A man who purchased goods on a fixed term of credit, and failed to keep his engagement, was guilty of a breach of contract, and the plaintiff, in recovering the money, ought not to be put to any more trouble than was absolutely necessary. He would give the defendant every security for his costs, provided he could make good his defence, but the plaintiff ought to have every necessary facility for recovering the money which the defendant had failed to pay. Whether the present Bill met the evil complained of or not he would not pretend to say, but he certainly did think the state of things which now existed called for the attention of the learned Attorney General.

MR. SERJEANT SIMON said, if this were a Bill extending the jurisdiction or altering the character of the County Courts, pending the inquiry to which reference had been made by the hon. and learned Member for Denbigh (Mr. Watkin Williams), he would have been prepared to vote against it. But the measure did not really partake of that character. It seemed to him to be only the proper and natural corollary of the Act of last Session, and to which indeed the objection now taken to the present Bill was more properly applicable. During the operation of the first Act, no matter where the debtor might reside, the plaintiff had the right of bringing his action in the superior courts for any debt exceeding £20, or for any sum where the cause of action did not wholly arise within the district where the defendant dwelt, and of bringing him from any part of England to defend himself. But the last Act had taken away this right, and the plaintiff was compelled to bring his action in the County Court of the district where the defendant dwelt, under pain of losing his costs if he recovered less than a certain sum. There were provisions in the Bill to guarantee the defendant against the hardship of being taken to a great distance in order to defend himself. The plaintiff was required to make affidavit of his debt, and also that it was a debt for goods sold and delivered. The defendant might give notice to the registrar of his district that he had a good defence, and then the plaintiff would be required to find security for the costs. With regard to loss from being taken away from his business, it must be assumed that the Judges would make proper compensation in cases where the defendant proved to be in the right. In the case of bills of exchange, he thought it would be unfair to persons who might give bills of exchange to transfer that jurisdiction wholesale—as might be done on the face of the Bill—to the County Courts; but, as he understood the hon. Member (Mr. Norwood), it was intended to give those courts jurisdiction only to such an amount as they already possessed, in the case of goods sold and delivered. Believing that the Bill would only bring into fair operation the Act of last Session, as a lawyer he was very happy to offer it his support.

MR. T. CHAMBERS said, there was a preliminary objection to the Bill proposed—namely, that its object was to apply a special remedy to a special grievance at a moment when the whole operations of our system of judicature were under the consideration of a special Commission whose Report was soon expected. It appeared to him, therefore, to be inexpedient to press, at such a time, alterations of so trifling a character as where a cause should be tried. The alleged grievance complained of was, after all, a very doubtful one; and if the proposed remedy were adopted, it was very questionable whether it would not have the effect of creating a much more serious and substantial grievance in respect to a large class of individuals who might be improperly sued upon claims against which they had a good defence. There was no doubt that the establishment of the County Courts had conferred great advantages upon the public generally; and even supposing that it was wrong to make the creditor follow his debtor, the remedy proposed by the hon. Member for Hull involved the introduction into the County Courts of a scale of costs which would go far towards frustrating the very object for which those tribunals were established — namely, the cheap and facile recovery of small debts. Any incidental advantage which might accrue from the adoption of Bills like the present would not compensate for the injury they might do to the most useful institutions ever set up in this country for administering justice. He therefore hoped that the measure would not be pressed.

MR. ST. AUBYN said, that according to the statement of the author of the Bill himself the measure was introduced in the interests of manufacturers and wholesale dealers and, besides that it certainly paid small regard to those of the smaller tradesmen, it entirely overlooked those of the working classes who might be grievously oppressed under its provisions. He hoped that the Bill would be withdrawn for the present, with a view to its provisions being rendered more fair and equal to all parties concerned.

MR. STAPLETON said, he doubted very much whether the Bill was viewed with favour by either the commercial community or the legal profession, and the only lawyer in the House who had yet spoken in favour of the Bill represented, in common with most of those who supported the measure, a commercial and manufacturing community. One of the objections to the Bill was that it would enable a gang of swindlers to carry on their calling by spreading themselves over the country and suing the same parties at the same time in the County Courts in remote districts. He recollected a story in Yorkshire of a very ingenious tradesman belonging to that county, who carried on business as a saddler. When he found there was one saddle sold, as to the purchaser of which he was in doubt, his custom was at Christmas, when he made out his bills for his customers, to set down a saddle in every individual account, so that if he made out twenty-seven bills he charged twenty-seven saddles to his various customers. There were parties also who might do a most successful business by bringing suits on the speculation of getting the costs. He could not help believing that the real author of this Bill must be the ingenious tradesman he had mentioned. Instead of its being a hardship on a dealer to go a long distance in order to sue his debtor, the hardship was generally the other way, as the plaintiff was provided with an attorney who could very easily manage the matter for him. In his opinion the science of jurisprudence was less understood in England than in any other civilized country. For instance, a Bill was often allowed to be proceeded with although clause after clause was inserted which destroyed all the efficiency of the original measure. With respect to the question now under consideration, the best way to deal with it would be to retain the present rule as to the issuing of the plaint, but to allow the Judge to change the venue on good ground being shown for such a proceeding.

MR. HENLEY said, he was always unwilling to thrust in his oar among learned Gentlemen, because he knew the danger of so doing. He, however, venturd to ask the attention of his hon. and learned Friend the Attorney General, because he knew that the hon. and learned Gentleman had strong opinions upon the question of imprisonment for debt; and he wished to ask him whether, under the provisions of this Bill, there might not be an extension of the system of imprisonment for debt? Now, imprisonment for debt under the County Courts Acts really meant penal imprisonment. It was not simple confinement at the will and pleasure of the

Judge of the County Court when it was alleged that the defendant was able but unwilling to pay—under what he (Mr. Henley) always considered the miserable pretence of contempt of court—but an imprisonment of an absolutely penal character. In the original Act, he believed it was laid down that for every 1*s*. owed there might be one day's imprisonment; but the statutes on the subject had been since so altered and multiplied, that he could not pretend to say what the present law was. If the Government were disposed to assent to a large extension of the jurisdiction of those courts he hoped they would take into their consideration how far imprisonment for debt ought to exist in respect to poor people when it was almost entirely abolished in respect to all other classes. He confessed he always thought it unfair that this power of imprisonment, as it was now exercised by the County Court Judges, should exist; and he now ventured to suggest to the Law Officers of the Crown and the Home Secretary—if they were going to extend this jurisdiction—the necessity to which they might be exposed of providing much additional prison accommodation for the many more unfortunate persons that would be committed under the orders of the Judges.

THE ATTORNEY GENERAL said, he intended to take an intermediate course in reference to the Bill. He should ask his hon. Friend (Mr. Norwood), who had charge of this Bill, to postpone its further progress until, at all events, they had received the Report of the Judicature Commission who were now investigating the whole judicial system of the country. Their Report when complete would deal with the rearrangement of circuits, and other provisions for the more effectual administration of justice locally by the superior courts; and as the local administration of justice was a question to be dealt with as a whole, he thought he was entitled to ask his hon. Friend to postpone the consideration of this measure. Some of the objections that had been urged against the Bill were of a very serious character, and he confessed he looked with alarm upon the powers proposed to be given to the holders of bills of exchange. These powers were such as might be perverted so as to effect a great injustice upon parties who might be sued by an endorser, living hundreds of miles away, upon bills of exchange for which they had, perhaps, received little or no consideration. He concurred in the remarks made by his hon. and learned Friend the Member for Marylebone (Mr. T. Chambers) that the County Courts worked on the whole extremely well, and that their institutions were among the most successful efforts of modern legislation. He therefore deprecated the practice of endeavouring every Session to tinker them by the introduction of some such measure as that before the House. Such efforts tended rather to despoil those courts of their many advantages than to improve them. He trusted under those circumstances, that the hon. Member would accede to the reasonable request of postponing his Bill. With respect to the appeal made to him by the right hon. Gentleman opposite (Mr. Henley), he could assure him that he felt the full force of his observations. He (the Attorney General) had already succeeded in passing an Act limiting the power of imprisonment for debt exercised by the County Court Judges, and he believed that the Act had worked successfully, and that they had now fewer complaints upon that point than they had had previously to its passing. He was however aware that the evil still existed. It was a question, no doubt, of great difficulty; but he did not think that the remarks of the right hon. Gentleman in respect to it applied fairly to the Bill, inasmuch as its object was not to extend the jurisdiction of the County Courts—although one or other of its clauses might have such an effect. In a few days, it was his intention to bring in a Bill for the total abolition of imprisonment for debt, when he was sure the right hon. Gentleman would find that he had provided some safeguard against this particular jurisdiction of the County Court Judges.

MR. NORWOOD said, that after the appeal which had just been made to him by the hon. and learned Gentleman he would consent to the postponement of the Bill, reserving, however, to himself the power to proceed with it at a future time in case he should deem it expedient to do so.

Amendment and Motion, by leave, *withdrawn.*

Second Reading *deferred* till *Wednesday* 12th May.

REVENUE OFFICERS BILL—[BILL 14.]

(*Mr. Monk, Sir Harry Verney, Mr. Craufurd.*)

SECOND READING.

Order for Second Reading, read.

MR. MONK, in moving that the Bill be now read the second time, said the Bill proposed to repeal portions of a statute of the 12 & 13 *Will.* III. and of two statutes of Anne, which prohibited the civil servants of the Crown from interfering in elections, under penalty of £100, of being deprived of their appointments, and being rendered incapable of holding any office of trust under the Crown. The measure was, in fact, merely the complement of the Revenue Officers' Disabilities Removal Act, which was passed last Session. That Act restored to the servants of the Crown in the Revenue Departments the right of voting at Parliamentary elections, but it did not give them the full rights of British citizens, for they were still precluded by the statutes referred to from some important privileges. The Bill consisted only of one clause, with a Schedule attached to it, but nevertheless it affected the rights of a large number of civil servants of the Crown, who earnestly desired, and had a right to demand, that they should be put on a footing of equality in respect to the franchise with their brethren in other departments of the Civil Service. With a partial and somewhat remarkable exception, to which he would presently refer, the revenue officers were precluded by the restrictive statutes enumerated in the Schedule to the Bill from the exercise of the rights and privileges of British subjects; they were unable to take any part at an election beyond simply recording their votes, and if they attended political meetings they must remain silent, and take no active part in the proceedings; they were likewise prohibited from proposing or seconding a candidate on the hustings, and from soliciting a vote for the candidate of their choice. Now, was it not an anomaly that a man should be allowed to record his vote while, at the same time, his mouth was so effectually closed that he dared not discuss the merits of the rival candidates even with his next-door neighbour? He believed that the enactments in question could not be allowed to remain in force now that Parliament had decided upon giving to revenue officers the right of voting. When he brought forward the Revenue Officers' Disabilities Removal Bill, he restricted it within the narrowest possible limits; and he was ready to take upon himself his full share of blame for not having trusted implicitly to the spirit of fairness and generosity which animated the late Parliament; but he must remind the House that the supporters of that Bill had to contend not only with a Government which was opposed to them, but with the heads of two of the Departments which they were seeking to enfranchise. If he had embodied in that measure the provisions of the present Bill, the 36,000 revenue officers who were enfranchised last year, would, in all probability, not have been enabled to record their votes at the last election. He was, however, happy to say that during the last year a great change had come over the Commissioners, and some of those high functionaries who then opposed the proposition were now completely in favour of it. A friend of his, holding a high official position in the Civil Service, who not only opposed the Bill of last year, but furnished the text for the speech of the late Chancellor of the Exchequer in opposition to it, told him the other day that he heartily approved of this Bill, as a necessary corollary to the Franchise Act. He added that he had been obliged to decline to propose a candidate, now a Member of this House, through fear of the exceptional penalties to which his branch of the service was subject. According to the existing law, a revenue officer who proposed or seconded a candidate for a seat in that House rendered himself liable to be fined £100, and on conviction he would be deprived of his situation as a civil servant, and permanently incapacitated from holding any office of trust under the Crown. Now, the object of the present Bill was simply to repeal the sections of the Acts which imposed penalties of this nature. The 89th section of the 12 & 13 *Will.* III., c. 10, prohibited officers in the Customs from taking any part in elections, and inflicted the penalties which he had enumerated on all offenders. The 9 *Anne*, c. 11. sec. 45, inflicted similar penalties on officers in the Post Office, and in the tenth year of the same Queen another statute was passed affecting the collectors of certain taxes therein specified. He had grave doubts whether the 10 *Anne*, c. 18, prejudicially affected any officer in the Civil Service at the present day; but as it had been stated on high official authority that certain subjects of duty included in that Act still remained subjects of duty, and as all the provisions of that Act were continued in relation to duties, which were in the place of those thereby imposed by the 55 *Geo.* III., c. 184, sec. 8, he considered it desirable to include it in the repealing Schedule of this Bill. He came now to the third and last remaining Department. The officers in the Inland Revenue Department had been prohibited, under similar penalties, from taking part in elections, by virtue of the 5 & 6 *William and Mary*, c. 20, sec. 48, but that Act was repealed by the Statute Law Revision Act of 1867. That repeal was owing, he believed, to the fact that a more recent statute—the 7 & 8 *Geo.* IV., c. 53, sec. 9, imposed a penalty of £500, instead of the smaller penalty of £100, imposed by the Act of *William and Mary* on officers of the Excise who interfered in elections. But this more severe penalty was repealed by the Revenue Officers Disabilities' Removal Act of last year, so that the revenue officers were, at the present moment, politically free, unless the penalties of the Act of Anne were revived by the Act of 55 *Geo.* III., c. 184, sec. 8, or by some other obsolete statute. To guard against the possibility of any of those officers being left under any disabilities after the passing of the present Bill, he should, when it went into Committee, move the clause of which he gave notice about a fortnight ago. It was to the effect that, after the passing of the Act no commissioner or person employed in collecting the revenues should be liable to any penalty by reason of his having endeavoured to persuade any elector to give, or to dissuade any elector from giving, his vote to any candidate for a seat in Parliament. This clause would enable the revenue officers not only to vote but to take part in elections in the same manner as any other people, and would complete the legislation of last year. It was needless for him to add that the revenue officers looked upon this disability as a grievance, if not as a positive stigma and disgrace. He was not aware that any sound arguments could be adduced against completing the measure. The revenue officers were a highly independent body of men, and by conferring on them the right of voting the House had introduced a valuable element into the electoral body. That element might indeed be Conservative, but it was Conservative in the best sense of the word; and he might remark in passing that most of the newly-enfranchised officers in one of the Departments at Gloucester voted against him at the late election—and he honoured them for their independence—yet no class of men were more interested in the stability of our institutions or less likely to encourage revolutionary measures. He was inclined to hope, until a day or two ago, that the Chancellor of the Exchequer would have come down to the House fortified by reports of a far more favourable description than those which were laid upon the table last year by his predecessor in Office, and that the right hon. Gentleman would have announced the determination of Her Majesty's Government not to refuse so trifling a boon as was now claimed on behalf of these hard-working and well-educated men in the Civil Service. But whatever might be the course which the right hon. Gentleman should think it his duty to pursue, he should ask the House to express its disapproval of the anomalous state of the law, which allowed one branch of the Civil Service to vote and speak and canvass at elections, while it restricted another branch to a silent vote. The hon. Member concluded by moving the second reading of the Bill.

Sir HARRY VERNEY, in seconding the Motion, said, that if, as had been formerly urged, there was a fear of any combination on the part of the revenue officers, the Government would be as well able to deal with it as they were now with a combination in the army. The privilege of taking part in elections ought, in his judgment, to be granted to these men, in the same manner as it was to Army and Navy and the other Departments of the Civil Service, and if they abused it they should be removed from the public service. He had great pleasure in seconding his hon. Friend's Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Monk.*)

Mr. PEASE said, that he had always entertained very strong opinions on this subject. Last year the Legislature thought fit to confer the right of voting on a great number of revenue officers;

but he always had had doubts on the propriety of enfranchising these men, on the ground that it was placing in the hands of the Crown political power, of which the House ought to be very jealous. The hon. Member for Gloucester (Mr. Monk) mentioned that almost all the revenue officers in that city voted for the Conservative candidates. They did so likewise in one of the boroughs in the county which he (Mr. Pease) represented. But in his opinion it was not because they were Conservatives at heart, but because they had a feeling of hostility against Liberal Governments for having pursued a course with regard to the repeal and reduction of duties inimical to their interests. It appeared to him that this House had from all time most jealously guarded its privileges as against the power of the Crown, and in placing political power with those who were the servants of the Crown; and, however little that view might have anything practical in it at the present time, it behoved the House to guard well the safeguards and liberties of the House. In his opinion this was a Bill which, like that introduced a short time ago respecting the re-election of Ministers of the Crown, affected the privileges of the House of Commons. The First Lord of the Admiralty had informed the House a few evenings before that a great reduction had been made in the number of clerks in that Department, and how, he would ask, were the men who had been thus discharged likely to vote at the next election? Was it not natural to suppose that they would vote against the Government which had been the means of depriving them of their situations? Being very jealous of the privileges of that House, he believed it had gone far enough in the direction to which the Bill of the hon. Member for Gloucester tended, and holding that opinion he should, although he was well aware that there were many worthy men in the position of revenue officers, in whom great confidence could be placed, but who should not be allowed to take active part in elections, move that it be read again that day six months.

THE CHANCELLOR OF THE EXCHEQUER: I rise to second that Motion. I would beg to remind the House that the exact question before us is not whether the persons to whom the Bill relates ought or ought not to have a vote. That question was decided last year; and the question with which we have to deal to-day is whether they ought to be allowed to persuade voters to vote in a particular manner; whether, in other words, they should be permitted to be canvassers, proposers, and seconders, and in these capacities to take an active part in elections, like the rest of Her Majesty's subjects. This question turns on the duties which are performed by those whose capacity of political action we are now invited to enlarge. My hon. Friend the Member for Gloucester (Mr. Monk) asks us why we withhold from officers in the Revenue Departments privileges which we give to clerks in the West End—to those, for instance, in the Home, the Colonial, and the Foreign Offices? The answer is, I think, very plain; we do so just because they are revenue officers. The clerks in the West End offices write letters all day; they are removed from the parties to whom those letters are written; they are not brought into personal contact with them, and exercise, as a general rule, no power over them whatsoever. The position of the officers in the Revenue Departments is entirely different. To them is entrusted the collection of a good deal more than £60,000,000 per annum; and how do they collect that amount? Not by sitting in a room in Downing Street and writing letters, but by going abroad among the people, mixing themselves up in some measure with their affairs, instituting into those affairs a most inquisitorial examination, counting the number of a man's servants, of his clerks, his horses and carriages, looking minutely into his income, making themselves acquainted with the correctness of the returns of the income which he sends in, with the progress of the manufacture in which he may happen to be engaged, imposing all sorts of disagreeable and annoying interferences on the course of his trade—in short, doing all those things which, except for the purpose of collecting the revenue, the law of England would not for a moment tolerate. In all this consists the difference between the position of the revenue officers and those other officers to whom my hon. Friend has referred. But lest the House may think that I am not competent to form a just opinion on a matter of such enormous importance, I will take the liberty of reading a few passages bearing upon it from the Report of the Commissioners of Inland Revenue to the Treasury last year. They say—

"The real danger lies in an opposite direction. It is not the increase of the power of the Government in controlling elections which is to be apprehended, but the paralyzation of the Executive in administering the revenue laws firmly and impartially, and to use the words of our Oath of Office, 'without fear, favour, or affection' for the public good; and it is with a deep sense of this danger that, being responsible for the assessment and collection of duties amounting to £40,000,000 in the year, we seize the opportunity afforded by your Lordships' reference to deprecate most earnestly the projected enfranchisement of those employed in the Department of Inland Revenue."

They go on to state—

"Our answer is because clerks in the War Office and officers in the army are not distributed over the kingdom with charge of distillers, brewers, maltsters, spirit dealers, tobacconists, and other traders, to watch and control their operations, in the course of their manufactures or trades, as are officers of Excise; nor to ascertain the profits of every trader and professional man, and the number of servants, horses, and carriages kept by every individual, as are officers of taxes. . . . If an Excise officer so situated should find it his duty about the time of the election to procure a search warrant to ransack C. D.'s house, or to put his distillery under seizure, and bring an information against him for penalties, no one can doubt that he would subject himself to the greatest suspicion of using the power conferred on him as a revenue officer to serve a political party, and the mischief of such an imputation would be nearly the same, whether it were true or false. Again, it is often necessary that we should use the large powers confided to us in the interest of the public, in a mode necessarily placing an Excise trader at a disadvantage in competing with others, as by requiring a maltster, whom we know to be in pecuniary difficulties, to pay the duty upon each steeping of grain as soon as it is made into malt."

Observe the minute interference. They suspect a man's credit, and they require him to pay the duty upon each steeping of grain. But suppose the suspicion to be unfounded, and the man happened to be a political opponent of the revenue officer who acted upon that suspicion, how easy would it not be to make a charge against that officer of having sought to effect the man's ruin? The Commissioners proceed as follows:—

"We must, of course, be guided very much by information from our local officers in such a case; and it is a difficult and delicate matter, even now, to make it manifest that we are acting with strict impartiality. If our officers were political partizans it would be parfectly impossible. The converse of such cases is equally to be apprehended. If a trader, subject to the Excise laws, or a manufacturer, liable to make returns of profits under Schedule D, came under the supervision of a revenue officer, known as an active supporter of the party to which the manufacturer or trader also belonged, what can be more certain than that rivals in trade of the opposite party would impute to favouritism, at the expense of the revenue, any immunity from charges or restrictions which they themselves might not enjoy."

These are considerations which appear to me to possess the greatest possible practical weight. They come from persons who have a thorough knowledge of that about which they write; and, if the House will allow me, I will read one more paragraph from the Report. The Commissioners add—

"The power of removal to which we have just been referring is one of the most valuable parts of our disciplinary system. If an officer is believed to be on terms of too great intimacy with a trader under his survey; if he has fallen into the company of bad associates; if he appears to be deficient in the acuteness and energy requisite for dealing with some fraudulent trader; or if he has identified himself with any particular religious sect or parochial party, so as to be obnoxious to other sects and parties in the locality, his removal to another district is a ready and effectual check to the mischief which would otherwise ensue. But when the officer becomes a voter, when he is perhaps one of the managers for a political party in a small borough, what will not be our difficulty in sending him away, perhaps on the eve of an election, and what will not be the suspicions of party motives to which the Board, and the superior officers who recommend his removal, will be subjected."

I am sorry to have been obliged to trouble the House with these extracts, but it is much better that they should have the opinions of men who speak with the advantage of longer practical experience than mine upon this subject. We must not forget what is at stake in this case. It is no sentimental matter. It involves the question of the collection of a revenue of over £60,000,000 a year; and the anticipations of the dangers which would be likely to arise if the change now proposed were carried into effect appear to me to be justified by the most ordinary principles of human nature. The result of that change must, I think, be that the control of the Department over its officers would be weakened by the fear of having it imputed to them that they were actuated by political motives, and that those officers will be supposed to be actuated by other motives than a desire to perform properly their duties in the collection of the revenue. The discipline of the machine will in consequence be imperilled. Disorder will ensue, and no one can fix the extent to which the revenue may suffer. An element of confusion will be introduced into an establishment which requires the most careful management and the most minute supervision, which has to be worked with a delicacy of which many persons little dream, and in which the slightest change in the ordinary rules, however necessary that change might be in the public interest, would be sure to be attributed to other motives than the wish to promote the efficiency of the Department. Such being the dangers against which we have to guard, how very slight is the advantage which this Bill proposes to confer on those upon whose behalf it is brought forward. The officers of the Inland Revenue have already power to record their votes at elections; what is now asked for is that they should be allowed to mix themselves up with the turmoil of election contests; and are we, for the sake of indulging a little vanity on their part, and giving them an opportunity of involving themselves in proceedings which most sensible men would be very glad to keep out of, to run such risks as those to which I have adverted? Let me suppose a man wished to be returned for a town in which the revenue officers took an active part in politics; he would naturally desire to conciliate them; they would be the best canvassers he could employ. See what mischiefs they might be able to do the trader, and how, owing to the influence which they would exert over him, they might render themselves the most potent possible agents in intimidation. For no species of intimidation goes so directly home to a man sometimes as that which arises from the knowledge that another is almost as well acquainted with his affairs as he is himself, and that he can, by making a report with respect to them, hamper him in the pursuit of his business. There are other considerations to be taken into account—such as the influence which a Government may, under certain circumstances, exercise over the officers of this Department; but putting that consideration aside, I would remind the House that, if it permits those officers to mix themselves up actively in political life, the neutral positions which they now occupy between the two parties in the State will be destroyed. One of the reasons why we are enabled to raise our present immense revenue, and to support the immense burdens which are placed upon the shoulders of the taxpayer, is that the Revenue Departments have—at all events ever since the time of Lord Liverpool—been free from any suspicion of political influence. You may, however, depend upon it that once you introduce into that branch of the public service the political element it will spread, and you will see realized in England that which is the greatest bane of America—an evil from which she is now manfully struggling to relieve herself, and as I sincerely hope with success. If you insist upon the right of these officers to transform themselves into active political partizans, you may rely upon it that a Government coming into Office will not tolerate in situations of great trust under it persons advocating violent political opinions—opposed, it may be, to its own—and it will come to pass, not, perhaps, at once, but by degrees, that we shall witness here that miserable state of things which prevails in America—the change of the civil servants of the country as one party or the other happens to hold the reins of Office. I would say, then, *principiis obsta* — do not advance the first step in such a career. You have now, I believe, as admirable an instrument as was ever placed in the hands of any Government for the performance of that peculiarly delicate service—the collection of the revenue. Let well alone. Do not, for the sake of a few vain persons who may seek to make themselves a little more important by meddling in business which will be just as well transacted without their interference, break in upon principles which have so long enabled us to bear such enormous burdens. America has boundless resources, and can afford to do almost anything without being ruined. We, with our limited area, are in a very different position, and I earnestly hope the House will not assent to a measure the dangers of whose operation may be so great, while the advantages which it seeks to confer are so infinitesimal.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Pease.*)

MR. CLAY said, he should support the Bill. He thought the Chancellor of the Exchequer would agree with him that it was the interest of them all to make the voter aware of the sacred nature of the trust committed to him, so as to induce him to record an honest vote for the public good. Now, what was done with these men? We allowed them the privilege to vote, but forbad them at any public meeting to state the reasons for the vote which they were about to give, or to make any profession of the faith that was in them. Was that the way to bring home to them a knowledge of the sacred nature of the trust confided to them? The fact was that every argument which was used last year against giving these persons the franchise had been urged that day against allowing them publicly to express their opinions, and the whole question resolved itself into a distrust of their honesty. We did these men great injustice in distrusting them. He asserted with perfect sincerity that he had never found in his life a body of men more honest and less liable to be influenced by party feeling than the civil servants, and he did not believe that there was any class of men in the country more likely to make good and independent voters. It was apprehended by some that if this Bill were to pass, a pressure might be put upon Members of that House by civil servants. He had had more to do with these persons than probably any other Member of that House, and he could say that though pressure had been put upon him by many other classes of persons he had never experienced the slightest pressure from that quarter. Then it was objected that they had powers of combination. Did no one else combine? Not to speak of trades unions, the Lobby gave daily evidence of the best organized combinations of all interests. Publicans and Maine Liquor Law men, Sabbath observance advocates and those who would open places of amusement on the Sunday, all properly found strength in combination.

Mr. LIDDELL said, he was one of those who voted last year in favour of giving the officers in question a right to exercise the franchise; but he, nevertheless, must admit that the tendency of the present Bill seemed to him to throw grave doubt on the wisdom of the decision at which they then arrived. Those who voted for the Bill of last Session felt that the continuing to withhold the power of voting from these men was perpetuating an injustice on them, considering the position they held in the country; but, the arguments which he had just heard from the right hon. Gentleman the Chancellor of the Exchequer induced him to think that the House ought to pause before it proceeded any further in the same direction—for there was nothing in which the country was more deeply interested than in the preservation of the purity and high character of its public servants. The House, therefore, would, in his opinion, do well to reject a proposal which might have the effect of leading those to whom it related to mix themselves up with political agitation in a way that would be injurious to the best interests of the community.

Mr. Alderman LUSK said, that he had some acquaintance with the civil servants in the Customs Department, and felt bound to declare that he had not come into contact with a more straightforward or honest set of men, and he deprecated the idea that any danger to the public service would result from their admission to the exercise of the privileges which the Bill sought to confer. Prophecies of evil did not go for much with him, they had been made by those who were opposed to the repeal of the Corn Laws; while it was said last year, that if a measure granting household suffrage were passed a House of Commons would be elected which would be composed of persons who "feared not God neither regarded man." Well, those hon. Gentlemen who had been elected knew best whether that prophecy was or was not correct. He, for one, did not believe it had been realized, any more than would be the prophecies which they had listened to in the course of that discussion. He hoped, therefore, the House would not refuse its assent to a measure which was just in itself, and would enable the meritorious class of officers in our Revenue Department to enjoy those electoral privileges which other classes of the community possessed.

Mr. AYRTON said, that when the subject was under the consideration of the House last Session he had opposed the measure then brought forward by his hon. Friend the Member for Gloucester (Mr. Monk), because he anticipated that, while no advantage to the public interest would result from its operation, it might endanger the proper working of the Revenue Department. Now, he felt bound to state that, so far as his own personal experience had since gone in the borough which he had the honour to represent, it was not favourable to the legislation of which his hon. Friend was the author. He would not, however, enter into details with which that experience furnished him, beyond remarking that he happened, fortunately, to occupy a position in the borough which enabled him to defeat the proceedings to which he was alluding in a way which other hon. Members might not be able to do when engaged in a close contest. But the question before the House on the present occasion was not, whether Parliament had last year acted wisely or otherwise in dealing with the subject; although it might very well form matter for discussion whether the Bill of his hon. Friend as then passed embodied the deliberate opinion of the House of Commons, or owed its success to any of those accidental circumstances for the occurrence of which the last Parliament was quite peculiar in the history of the country. Be that as it might, what the House was now invited to do was to make a large stride in advance of the legislation of last Session. In replying to that invitation, hon. Members ought, he thought, to bear in mind that there was a fundamental distinction between officers in the Revenue and those in other Departments. The latter, though servants of the Crown, took part in elections as simple inhabitants of the particular district in which they happened to reside; but revenue officers would mix themselves up with such proceedings, bearing with them, as it were, the income of the nation to the extent of £70,000,000. ["No, no."] Hon. Members might cry "No," but there was no doubt that they could use the influence which their position gave them to a very large extent. He, however, should oppose the Bill before the House, not only on public grounds but in the interests of the best class of revenue officers themselves—that was to say of those men who were disposed to devote themselves to the discharge of the duties of their situation, and not to mix in politics with the view of recommending themselves to the notice or patronage of any party in that House. That was the sort of officer, who, in his opinion, ought to be supported. It was probable, he might add, that owing to the numerical proportions of the constituency in the metropolis, the officers there engaged in the collection of the revenue, might not be able to exercise a very great influence at elections; but there were other places beyond the metropolis where a man so situate might exercise very considerable influence; and how, he should like to know, would a Member in whose behalf such a man might have actively exerted himself, refuse to listen to a claim on him made by one of his best supporters? As matters at present stood, there was a very good regulation against the interference of Members of the House of Commons for the purpose of obtaining the promotion of an officer in the Inland Revenue Departments. He deemed it to be his duty, on accepting the Office which he had the honour to hold, to inquire into the subject, and he asked the Chief Commissioners of the Boards of Customs and Inland Revenue whether they rigidly adhered to that regulation? They assured him that they did. Now, he (Mr. Ayrton), would state to the House, that, if any Member of the House of Commons spoke to him on the subject of promotion for any officer in their Departments, he should place the regulation in the hands of that Member; and if, after that, he chose to mention the name of the person for whom advancement was sought, and the person was known to him, he should send the name to the Commissioners—not for his benefit, but that punishment might be inflicted on him in accordance with the rules laid down. He had been induced to make these remarks because the Chairman of the Board of Customs said that—

> "Since his appointment he had received numerous applications from noblemen and gentlemen, soliciting the promotion of officers and clerks in the service, and it appeared that other members of the Board had frequently received similar applications."

[An hon. MEMBER: How long ago?] The Minute from which he was quoting was dated the 16th of January, 1847—there was no doubt that we had in those matters been improving of late, in consequence of the Minute, which proceeded as follows:—

> "There can be no doubt that in most, if not in all of these cases, the applications have been made at the instance of the respective officers and clerks, in direct contravention of their instructions and the Board's 'General Orders' upon the

subject. The Board are determined that the promotion in the Department shall be governed solely by good conduct, efficiency, and length of service, and that they will not allow their recommendations to the Treasury to be influenced in any degree by any applications or representations which may be made to them by persons unconnected with the Department; such applications are, therefore, not only irregular, and in violation of the recorded orders and regulations of the service, but useless for their object; they tend also to embarrass the discretion of the Board, inasmuch as in any case in which an officer would be entitled to promotion on his own merits, application made in his favour by influential persons affords ground for suspicion that the selection of the officer has been influenced in some degree by private considerations, and that without the exercise of such interest the claims of the officer would have been passed over, a suspicion which, however unjust and unfounded it may be, cannot fail to weaken in the minds of the officers of the Department that confidence in the justice and fair dealing of the Board which the Commissioners are most desirous to possess. The Commissioners will, at all times, be ready to receive and take into consideration representations from officers in the Department addressed to the Board officially; but they think it right to apprise the officers and clerks throughout the service once more, and in the most formal manner, that private applications from officers themselves, or from other persons in their behalf, addressed to individual members of the Board, are expressly interdicted, and that the same will not only have the effect of retarding the promotion of the parties, but subject them to the Board's severe displeasure."

That was the notice which had been issued by the Customs Department. A similar notice had been issued by the Commissioners of Inland Revenue; and he (Mr. Ayrton) would confidently appeal to hon. Members to say whether those rules could be maintained if such a change as that proposed by the Bill was effected, not only in the relations of revenue officers to that House, but in their relations to one another? The fact was that it would be impossible, under the altered circumstances, to preserve the necessary discipline in the Department. If its officers were permitted to take an active part in elections they would, as a matter of course, be recommended for promotion by those whom they supported, and those recommendations would be forced, not only on the heads of the Department, but on the Government, and as far as possible on that House. The offices in the large cities, where the pay was better, would be sought after, and perhaps obtained, by an officer in a small borough who was able to make himself of great importance at the elections there in promoting the success of a particular candidate. As things at present stood, we possessed a system under which the officers in our Revenue Department occupied a position of neutrality, and which might challenge comparison with the system of any other country; but if the Bill before the House were adopted there was great danger, as had been said by his right hon. Friend the Chancellor of the Exchequer, that we should drift into that system which seemed to prevail in the United States. He had asked an American politician to give him an account of the working of the United States' constitution in that country; and the reply was that it resolved itself very much into a question of "in" and "out." When they entered on a political contest he said they cast about, and the "outs" having ascertained who were likely to obtain offices if they should be successful, got them to subscribe to a common fund. When that fund reached the necessary amount, they went to work as hard as they could on the election, and if they succeeded all the candidates for places got them according to the amount of their contributions. The "ins" contributed to a fund in the same way, and if they were victorious those who already had the places of course kept them. Did hon. Members think this a better state of things than existed in England? Surely it would be a deplorable change if the smallest shadow of such practices should prevail here. With that view it was of the utmost importance to keep our revenue officers entirely free from such participation in politics as was likely to disturb in any way the regular discharge of their duties. He hoped, therefore, that the House would not concur in this proposal, which would gratify the feelings of only a few of those affected by the Bill; while, in the end, it would be prejudicial to the great majority, even of the revenue officers themselves.

COLONEL SYKES said, he voted for the Bill of last year under the full belief that those officers would use their votes as honestly as other men; but the arguments of the Chancellor of the Exchequer and the Secretary of the Treasury, if good for anything, showed that the revenue officers were not worthy of the electoral trust, and would abuse it; implying distrust, also, of their integrity in the discharge of their peculiar duties. Such arguments tended strongly to show the necessity for the Ballot, which, happily, now loomed, not in the distance, but very proximatively.

MR. BREWER thought there were questions of great moment involved in the Bill. He admitted that the revenue officers were generally men of high character, but, as servants of the Crown, their position was a peculiar one. They were intrusted with functions and duties of a very delicate character; and he thought that the very nature of their trust required that they should be subjected to some restraint. He should, therefore, support the Amendment, from no disregard for the claims of these gentlemen, but from a paramount regard for the interests of the community generally.

MR. RUSSELL GURNEY thought that this question could not, in any way, be made a party question. It seemed to him that the objections taken by the opponents of the Bill were rather inconsistent with other portions of their speeches. They were loud, for instance, in their praises of the body of men for whose benefit the Bill was proposed, and declared that no persons could better deserve the confidence and esteem of their countrymen. But how were these praises to be reconciled with the argument also urged—that the virtue of these men was so feeble that they must not be placed in the way of temptation, and that it was absolutely necessary, in order to keep them pure, to deprive them of the ordinary privileges of Englishmen? The right hon. Gentleman the Chancellor of the Exchequer said that the object of the measure was to enable the officers of the revenue to gratify their vanity, and enable them to distinguish themselves by speaking upon the hustings. He was surprised that, when persons sought to take part in public affairs and exercise the ordinary privileges of Englishmen, they should be told that they were seeking to gratify their vanity. That was not an argument which he expected to hear urged at this time of day and in that House. To listen to some of the speeches just made from the Treasury Bench one would have supposed them not to be arguments directed against the Bill of his hon. Friend, but in support of a proposal to repeal the Act of last Session; because if the arguments used on the Treasury Bench had any weight at all, they were not half so weighty against the present measure as against the Act of 1868. Not only, indeed, were they arguments which might have been urged against that Act, but every one of them had been urged against it, though urged in vain. It was true that the Secretary of the Treasury (Mr. Ayrton) had introduced rather a new topic, because he had shown the House how easily and how extensively bribery and corruption might be carried on in a country in which the Ballot prevailed; but this was an argument more germane to the debate of last night than to the present discussion, though probably it was not an argument likely to have fallen from the Treasury Bench upon that occasion. That was the only new point which the hon. Gentleman suggested in his interesting account of the mode in which elections were managed on the other side of the Atlantic. Now, the House should remember that this Bill was not confined to the servants of one particular Department. It included the officers of the Post Office as well as officers of the Customs and the Inland Revenue; and he had not yet heard a suggestion that the officers of the Post Office were so intimately connected with the collection of the revenue that they would exercise any baneful influence upon those with whom they came into contact. The question belonged in no way to party—it was a question upon which different opinions might prevail on both sides of the House; but he confessed that some of the arguments just urged were not such as he had expected from those who had used them, and did not apply to officers of the Post Office, who were not in the least likely to exercise these privileges improperly. With respect to the apprehended danger of intrusting political power to an organized body, such as the civil servants of the Crown, who might organize opposition to the Government of the day, or support the Government, as the case might be, with a view to their own private interest, he was tempted to ask whether other organized bodies were unknown to the country and the House? Was there no such interest as the railway interest or the publican interest? Yet, he had never heard any proposal to deprive railway shareholders or publicans of any of their privileges as citizens lest they should organize themselves with a view to their private advantage. He could not, therefore, see on what possible ground a special body of men whose character and services hon. Members had vied with each other in eulogizing should be denied the privileges enjoyed by their neighbours from a fear, forsooth, they might exercise an undue influence on Members of Parliament and on the proceedings of this House. Upon these grounds, he should give his cordial support to the Bill.

Mr. HENLEY said, he differed from the right hon. Gentleman who had just spoken, and thought the Government had come to a sound conclusion upon this subject. It was not a consideration whether the civil servants of the Crown were pure or not. He had always been of opinion that our public servants had done their duty with great fidelity and impartiality; but he was also of opinion that if they got mixed up in all the turmoil of party conflict—a result of which, if this Bill passed, there was great risk —though they would not necessarily become impure, they would not be free from suspicion. Now, suspicion in such a case was almost worse than actual impurity, because with the one you could grapple, but not with the other; and, considering the very delicate and difficult duties which those gentlemen had to discharge, it would be a great misfortune if anything arose which rendered them liable to suspicion of partiality, especially from political motives. He should support the Government, not because he thought that these gentlemen might not be as well fitted as anybody else for the exercise of political privileges, but because, if they exercised these privileges as the Bill proposed, they might be suspected of partiality in the discharge of their duties.

Mr. CRAUFURD said, he would not go over the arguments which had been so well urged by other speakers in favour of the Bill, and in which he entirely concurred. He might indeed, observe, in support of those arguments, that in Scotland the question occupied a very peculiar position. He had several years since introduced into the Burgh Boundaries Act for Scotland a clause which enabled revenue officers to be placed on the electoral roll for municipal purposes. By that clause they obtained the right to vote, to canvass, and even to become candidates for municipal honours. Now, in Scotland the same electoral roll served both for municipal and for Parliamentary elections, and he thought this state of things brought out very prominently the absurdity and hardship of allowing a certain class of men to become citizens for one purpose and not for another of a similar nature. But his object in rising was to draw the attention of the House to a point in the Bill which, he thought, had been hitherto entirely overlooked in its discussion. The Preamble declared that it was expedient to solve certain doubts which had arisen owing to the legislation of last year. It had been supposed at first that by the Act of last Session, and by the Act for repealing certain statutes passed by the Statute Law Commission in 1867, an end had been put to all political disabilities of revenue officers. But doubts were suggested, arising from the existence of two editions of the statutes at large, in which the chapters were differently numbered, as to how far the penalties for canvassing or interfering actively in elections had been repealed. And in Scotland, at any rate, there arose a different practice in different counties, causing much confusion during the late General Election. Thus in Ayrshire, an Inland Revenue officer was allowed to act as the paid agent of one of the candidates; while in an adjoining county the Inland Revenue officers received notice of their liability to penalties if they canvassed, and they consequently abstained from all interference in politics beyond simply recording their votes. He thought that it was most undesirable to continue such a state of things, and therefore all doubts upon the subject should be cleared up by passing this Bill.

Mr. GLADSTONE: I am sure that my hon. and learned Friend (Mr. Craufurd) would not wish the House to believe that we are discussing a question no broader in its scope than the removal of doubts as to the construction of an Act of Parliament. We are really engaged in discussing a most important principle; and as my hon. Friend the Member for Gloucester (Mr. Monk) does not seem to have been aware, when he moved his Bill of last year, to what it would lead in the present Session—he gave us no intimation then that we were to have a Bill of this nature this year—so I think he cannot now be aware what this measure, if adopted, would lead to next year. There is no doubt that by the Bill of last year the hon. Gentleman established an important change in the position of members of the Civil Service; but the question we are now dealing with touches the position of some of the most important members of the Civil Service. It has been well said by the hon. and learned Member for Southampton (Mr. Russell Gurney) that this is not a party question. Now, I know not whether the rumour to which I am about to refer be well founded, but I have heard it stated that members of the Civil Service, in preponderating numbers, voted at the last election for the party which is now in Opposition. I know not if this be true, nor do I greatly care to inquire, but it has been stated in the course of this debate that they did so, and it was intimated that they did so because they looked upon me as having been for a long series of years distinguished by too great rigour in the administration of the public finances. Now, if this be true, I must say that I do not think it is a source of strength but rather of weakness to the party opposite; because, if it has the effect of making us weak with this particular class, it must make us so much the more strong in the support of the nation at large. I say, if it be true that such an impression prevails, and upon that account the members of the Civil Service have a leaning to the party which is opposed to us, we can have no better title than this with which to place our cause before the country. Mind, I do not make the charge. ["Oh, oh!"] I say I know nothing as to the truth of the statement; but with great deference to the Gentleman opposite who sneers at what I am saying, I warn him and all who think with him—and though I do not expect him to believe me, the warning is a friendly one—against building their hopes of public strength and influence upon any foundation so narrow and unsound as the acquiring of the favour of particular classes by measures which are not for the general good. The House has a natural prepossession, and I own a just one, in favour of the removal of restraints upon the exercise of political rights. I respect the opinion of the hon. Gentleman who spoke last, and I respect the opinion of the hon. Member for Gloucester; nor will I stop to observe that, although, as has been said, the revenue officers at our ports may not interfere with the discretion of Members of Parliament, it happens by some strange coincidence that the right hon. Gentleman (Mr. Gurney) represents an important port, with many revenue officers among his constituents, and that my hon. Friend the Member for Gloucester (Mr. Monk) and my hon. Friend the Member for Hull (Mr. Norwood) are in the same predicament. When my hon. Friend (Mr. Norwood) says he has not found any great pressure put upon him from revenue officers I do not at all wonder at the statement, because I think in his case no such pressure was at all required. My hon. Friend (Sir Harry Verney) says that if danger is anticipated from the operation of this Bill we must rely upon the firmness of the Government. Now, I have not a bad opinion of the firmness of Governments, but the Executive Government is essentially and necessarily political in its character, and is it right that the Legislature, which ought to be jealous in the interest of the public, should say—"We will repeal restraints which now exist in the interest of the public, and rely, instead, upon the firmness of the Government to do"—what? Not to restrain the aberrations of civil servants who may be its opponents so much as the zeal of those who may be its friends. But then it is said—and this was the main assertion of my hon. Friends who support the Bill—that the whole argument against it rests upon an imputation of dishonesty as regards our civil servants; and the right hon. Gentleman (Mr. Russell Gurney) adds that there is a gross inconsistency between the language used, according praise and credit to the officers of the Civil Service, and the conduct pursued in withholding from them these privileges. Now, I impute no dishonesty to our civil servants. In a long series of years, during which I have been in communication with our civil servants, no one has heard a syllable of that kind fall from my lips. But I deny that an imputation of dishonesty is involved in particular cases by those restraints upon political liberty which are otherwise accorded to all. What is our law about contractors? We do not permit a contractor to sit in this House. Do we, therefore, mean that contractors are dishonest, or that they are less honest and upright than other men are? Certainly not; but we will not allow them to take a position where their honesty may be exposed to particular solicitation and trial. That, and no more than that, is what we exact with regard to our civil servants. But then, what is the position of Members of this House? Is no restraint imposed upon them? Why those rigid rules in the Revenue Department prohibiting and resenting the interference of any Member of Parliament with regard to the promotion of any person employed in that Department? Are not Members of Parliament in many respects persons well qualified to recommend for such promotions? My hon. Friend the Member for Hull (Mr. Clay) says he has perhaps had more intercourse with revenue officers than any other Gentleman in this House, and his recommendations, therefore, in this respect would be well founded and valuable. Nevertheless, if he were to send a recommendation to the Board of Customs or Inland Revenue, he will get an answer which would be more intelligible than polite. Am I to be told that on that account there is any imputation on the honesty of Members of this House? The reason is that the position of Members being one which exposes them to peculiar solicitation, they are liable unconsciously to come under a bias adverse to the interest of the public service, and therefore, we deny ourselves the advantage which might often be derived from their local knowledge and experience, and compel them to remain silent upon every question of promotion in the Revenue Departments. Can anything be more absurd, can anything be more anomalous than the system which my hon Friend deliberately proposes to establish? I will suppose myself, for a moment, to be Member for Liverpool. As the Member for Liverpool, I should not be permitted to say a single syllable upon the subject of the fitness of any revenue servants there for promotion in the Customs or the Post Office; yet, at the same time, under the Bill of my hon. Friend, the Collector of Customs at Liverpool might have been the chairman of my election committee, and his verdict would be that which would decide every case in which recommendation for promotion might be made. Is such a relation desirable? Would a Bill which established it be a measure of reform or a measure of retrogression? Would it be a measure favourable to the interests either of the community or of the class? And if it were—as I think it would be—a measure of retrogression, would it not be the most dangerous of all retrogressions, inasmuch as it comes to us in the shape of a reform? Now, I am going to make a confession which I have seldom made, but I am now released from the charge of finance—and by-the-way, I cannot say what satisfaction and comfort I personally feel when I reflect that I have now made it over into other and abler hands—being thus released, and having the tie taken off my tongue, I beg the House to bear in mind what extraordinary duties the officers of our Revenue Departments are called on to perform. The right hon. Gentleman (Mr. Russell Gurney) cannot satisfy us by setting up the case of the Post Office, though if he will move for a Committee to institute a careful inquiry, with a view of seeing whether there are any persons to whom those restraints should not be applied, I do not know that I should resist such an investigation; but he proposed to sweep away the whole, and therefore I am bound to inquire what the particular nature of these duties is. We have to raise in this country a revenue of some £70,000,000 a year. That is about one-eighth or ninth part of the whole revenue of the country. If there is any Gentleman in this House who happens to have nine sovereigns in his pocket, though he may believe them to be his own, they really are not, for one of them will infallibly, on the average, find its way into the Public Exchequer. It is the duty of the revenue officers to draw out the ninth sovereign and put it into the Exchequer. The processes are many and various, and some of them are not devoid of danger to the liberty of the subject. I grant that there is no great difficulty or temptation when we collect the revenue by means of Queen's heads pasted upon the corners of letters; and if we could collect our whole revenue in that innocent form, the arguments against the Bill would be weaker than they are. But there is very little raised in that innocent form; and when we come to the greater branches of the revenue, the Excise and the income tax—painful as it may be to make the confession—and it is of no use to conceal it,—the hard necessities of the State and the heavy legacy which our ancestors left to us—along with other more desirable things—in the shape of a National Debt compel us to take much money from the subject by means which undoubtedly greatly invade and restrain the liberty of the subject. I do not believe that our ancestors who, ages ago, objected so strongly to the Excise, could ever have dreamt of the income tax; but when they objected to the Excise they were not so irrational—it was not without cause that the country was torn from end to end by the horrors of a system which appeared to be such an invasion of personal liberty. I hardly think that in our day the House is quite aware of the functions which have to be performed by revenue officers; and if Parliament were called upon to re-enact clause by clause the Excise Laws and Income Tax Acts of this country, I think the House would be shocked at the nature of the powers which the absolute necessities of the State render necessary. Now, the exercise of these powers is in the hands of men who, down to this time, we have carefully separated from the temptations and the passions of political strife. Not only so, but of all the administrative reforms in the present century, the best have been those which sought to abridge the influence of the Executive Government, its power over the patronage of the Civil Service, and that power of Parliament over the Civil Service. The name of Lord Liverpool ought to be honoured among us to this day, for he was the Minister who did away with the power of promotion—infinitely more powerful than the power of appointment, which had before his time been the scandal of the country and a fertile source of corruption. Patronage is a powerful instrument of Government; but why is patronage to be taken out of the hands of politicians sitting in this House and placed in the hands of another set of politicians sitting in the Customs or in Somerset House? We have tried by our public law to create a body of functionaries entirely exempt from these temptations; but the measure of my hon. Friend is a much further departure, and a more important and dangerous departure, from this principle, than any that we have hitherto recognized. It has been said that we do not restrain the permanent heads of Departments at the Treasury and elsewhere from taking part in elections. No, we do not—but they restrain themselves. Who ever heard of Mr. Hamilton, since he has been permanent Secretary of the Treasury, or Sir William Dunbar, since he has been Commissioner of Audit, or Mr. Anderson, or Mr. Arbuthnot, or Mr. Hammond, interfering in political strife or taking part in political meetings? Why not? Because they have chosen their career; and though there is no law applicable to them individually, they know there are Acts of Parliament which clearly declare the principle that men so engaged should avoid the snares of political partizanship. I think I have said enough, after what has been urged to the same effect by others, in deprecating the measure which my hon. Friend has proposed. I am quite satisfied that the picture drawn by the Chancellor of the Exchequer and the Secretary of the Treasury—of the extensive changes which such a measure might bring about in our political system—is not overcharged; and, without the slightest disrespect to the introducers of the measure or to the people of the United States, I think that if there is any one point on which we can draw a conclusion favourable to ourselves and unfavourable to them, it is that here we have striven to limit and reduce the influence of the Executive Government over patronage, and to separate entirely the popular branch of the Legislature from any direct connection with the exercise of patronage; while there we see a system which is the full-blown development of the idea of my hon. Friend, and the working of which no one can contemplate with satisfaction. I concede my full sympathy up to a certain point with those who are contending for the abolition of these restrictions; but the conditions of society and the hard necessities of the Sate must, I fear, continue to impose limits in the case of individuals upon the enjoyment even of political privileges. The case of these gentlemen is not an isolated one. A similar restriction has been adopted—perhaps with less strong reasons for it—in the case of the police, and I confidently believe that this House will not take the very questionable and dangerous step of passing the measure.

MR. MONK said, in reply, that he had already stated that it had been his intention, when going into Committee on the Bill of last year, to include in the repealing Schedule of that Bill the clauses which it was proposed to repeal by the present Bill; but he was opposed on that occasion both by the Members of the late Government and by his right hon. Friend the First Minister of the Crown. To have done so under those circumstances would probably have insured the rejection of that measure, which happily passed into law. All the arguments which had been used to-day were used last year, and, in fact, they were more applicable to the Bill of last year than to the present, which merely gave the civil servants freedom of action and freedom of speech. The revenue officers asked the House to repeal those obnoxious statutes, not with the desire of canvassing or taking an active part in elections, but because they considered it a grievance that they alone of the civil servants should be placed under exceptional disabilities and restrictions, which might have been necessary 170 years ago, but which he believed to be quite uncalled for at the present day.

Sir JAMES ELPHINSTONE wished to say one word in explanation. He had no communication with the gentlemen to whom he referred; but he wished to know how they could prevent these gentlemen from holding their own opinions. In private they could do more in support of them than they could do by going to the poll and recording their votes. In their present position those persons were more dangerous than they would be if they were in the enjoyment of the privileges proposed to be conferred on them by the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 88; Noes 207: Majority 119.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

LIBEL BILL [Bill 17.]—SECOND READING.

(*Mr. Baines, Mr. Candlish, Mr. Morley.*)

SECOND READING.

Order for Second Reading, read.

Mr. BAINES, in moving that the Bill be now read the second time, said, he had no cause to apprehend that the Motion would lead to a division, for the measure, when under the charge of the present Judge Advocate (Sir Colman O'Loghlen), had been agreed to by the House in the two previous Sessions, after having been carefully considered by a Select Committee comprising many of the most distinguished Members of the House. Its object was to obtain from Parliament a fair and reasonable protection for the public Press in the exercise of one of its most important duties—the publication of reports of the proceedings of public meetings. It was not intended to give the slightest impunity to defamation—in fact, it would give a greater protection against defamation than was afforded by the present law, and a cheaper remedy against defamatory aspersions. The great number of Petitions which had been presented in favour of the Bill showed that the persons connected with the periodical Press felt that they were now exposed to gross injustice. The present Law of Libel was very singular in regard to public meetings, for the individual who uttered a libel at a meeting, knowing that the public were present through the medium of the reporters, was not answerable for what he said; but the unfortunate proprietor of a newspaper—who was utterly incapable of knowing whether what was said was right or wrong, but whose reporter, in the discharge of a duty acknowledged to be most important, gave a report of the proceedings—was made responsible. That was a remnant of the barbarous Law of Libel which so long existed in this country, and which, after several protracted struggles, had in process of time become ameliorated. It was true that publishers were no longer liable to be placed in the pillory, nor exposed to the decision of a Judge unrestrained by the opinion of a jury on the character of the alleged libel, nor were they subjected to the injustice of not being allowed to plead the truth of the statement, and that the publication of it was for the public interest. But they were liable to an action for damages for defamation uttered by a person of whom they might know nothing. It was only recently that the right of newspapers to publish an account of the proceedings in courts of justice had been distinctly acknowledged, and it was not longer ago than four months that the law in regard to reporting the proceedings in Parliament was decided, he hoped finally, by the Court of Queen's Bench. In the case of an action brought by Mr. Rigby Wason against *The Times* for publishing the report of a debate in the other House of Parliament, founded on a petition containing the severest imputations on the Chief Baron of the Exchequer, the Lord Chief Justice, in his admirable judgment, on the 19th of November, 1868, made use of the following language:—

> "It is now well established that faithful and fair reports of the proceedings of courts of justice, though the character of individuals may incidentally suffer, are privileged, and that for the publication of such reports, the publishers are neither criminally nor civilly responsible. The immunity thus afforded in respect of the proceedings of courts of justice, rests upon a two-fold ground. In the English Law of Libel, malice is said to be the gist of an action for defamation. 'The rule,' says Lord Campbell, in the case of "Taylor *v.* Hawkins," 'is, that if the occasion be such as repels the presumption of malice the communication is privileged, and the plaintiff must then, if he can, give the evidence of actual malice.'
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> "It is thus," continues Chief Justice Cockburn, "that in the case of reports of proceedings in the courts of justice, though individuals may occasionally suffer from them, yet as they are published without any reference to the individual concerned, but solely to afford information to the public and for the benefit of society, the presumption of malice is rebutted, and such publications are held to be privileged. The other and broader principle on which this exception to the general Law of Libel is founded is that the advantage to the community from publicity being given to the proceedings of courts of justice is so great that the occasional inconvenience to individuals arising from it must yield to the general good."

Referring to the publication of Parliamentary proceedings, the Chief Justice observes—

> "It may no doubt be said that while it may be necessary, as a matter of national interest, that the proceedings in Parliament should in general be made public, yet that debates in which the character of individuals is brought into question ought to be suppressed. But to this, in addition to the difficulty in which parties publishing Parliamentary reports would be placed, if this distinction were to be enforced, and every debate had to be critically scanned to see whether it contained defamatory matter, it may be further answered that there is, perhaps, no subject in which the public have a deeper interest than in all that relates to the conduct of the public servants of the State—no subject of Parliamentary discussion which more requires to be made known than an inquiry relating to it."

The House will observe—first, the condition laid down by the Chief Justice for exemption from prosecution—namely, that the publication should be without malice; secondly, the reason for privileging reports of proceedings in courts of justice and Parliament—namely, "the general good;" and, thirdly, his reply to the demand that the reports should be expurgated of all defamatory matter—namely, the difficulty of "critically scanning" the reports for that purpose. As for requiring the exclusion of everything of a defamatory nature from the reports of proceedings of public meetings, such an obligation would necessitate a critical scanning of their contents, which would be absolutely impossible on the part of a newspaper proprietor, who receives reports from various quarters just before his newspaper is about to be printed off in order to be despatched by the railway trains. Having had the honour of being connected with the public Press for many years, he knew that that could not be done; and, therefore, the Bill proposed that no newspaper proprietor should be liable to an action or prosecution for a true and fair report of the proceedings at a public meeting, unless he should refuse to publish a fair reply to the libel complained of. It also provided a statutory sanction for the decision of the Judges that no civil or criminal proceeding should be maintainable for the publication of a fair and true report of a debate in either House of Parliament. It might be said that a slander uttered at a meeting where, perhaps, only 100 persons were present, became known to thousands when published in a newspaper. He admitted that; but considering the advantage which resulted from publicity being given to the proceedings of public meetings in reference to political, municipal, and social questions, to the management of railway and joint-stock companies, to charitable and many other objects, he considered that any inconvenience which might occasionally affect individuals should be deemed as outweighed by the benefit received by the public. It must be borne in mind that to public meetings the country was greatly indebted for the extension of its liberties and for the promotion of beneficial objects of all kinds. If anything should be done unwittingly by a newspaper to damage an individual, the Bill gave him greater facilities than the existing law for obtaining immediate reparation. At present, if a person was defamed by a newspaper report, he brought an action against the newspaper proprietor at an expense to both parties perhaps of hundreds of pounds, and after the lapse of some months, during which his character remained under the imputation of which he complained, he might or might not get a verdict in his favour. The Bill proposed that the newspaper proprietor should be liable to be called on to insert without charge an explanation furnished by the person injured, and in as conspicuous a portion of the newspaper as the original defamatory matter. That was one way in which the party aggrieved might obtain a remedy. There was another mode in which he might obtain redress. He proposed that the author of any defamatory matter spoken at a public meeting at which, to his knowledge, the reporter of any newspaper was present, which newspaper might thereon publish a fair and true report of the proceedings of that meeting, might be called upon by the person defamed to publish in that newspaper, or in some other public journal, a suitable apology; and on his refusal might be proceeded against by action for libel. By that provision the author, and not the mere publisher, would be punished for his abuse. That was a common-sense way of doing justice to the party aggrieved. It was intended to exonerate the publisher on condition that he published a fair and faithful report without malice, and was ready to publish a retractation; and the speaker of defamatory matter was to be liable, unless he was willing to make the *amende honorable* when fairly called on to do so. Not a few newspaper proprietors had been subjected to the payment of £300, £400, and £500 for that of which they were morally as innocent as any Member now hearing him; and he hoped the House would feel it a duty to put an end to that state of the Law of Libel under which such injustice could be inflicted. He hoped there would be no objection to the second reading of the Bill. If objections were entertained to any particular clause, he should be happy to meet them in Committee. He only desired justice to all parties, and injury to none.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Baines.*)

MR. NEWDEGATE observed that the thin and flagging appearance of the House shewed the strength of the organization by which the Bill was supported. Undoubtedly, as was proved by the Petitions which formerly and in the present Session had been presented, the Bill was supported by a very large number of members of the provincial Press. He thought he could show that this Bill would so extend the privileges of the Press beyond the protection afforded by the present law that it must lead to one of two results, perhaps to both—to a total exemption of newspaper proprietors from legal penalties upon the propagation of any amount of scandal, else, whilst granting what Lord Campbell thought an undue privilege to the Press, it must tend to the limitation of the freedom of speech. The hon. Member for Leeds (Mr. Baines) had cited the opinion of the Lord Justice in the case of "Wason *v. The Times*," yet there was a provision distinctly reserving the privileges of Parliament, in which the Press, after the decision in the case of Mr. Wason, clearly shared; and by a former decision it appeared that the House granted this privilege, that the publication of their reports and their debates came within the privileges of Parliament. He wished hon. Members to dismiss from their minds any impression which might have been caused by the citation of the opinion which had been given on that point, for there was a clause in the Bill distinctly reserving the privileges of Parliament. The present Law of Libel was drawn by Lord Campbell, who, in the commencement of his career, was a reporter in the Gallery of the House of Commons, and was therefore able to form a correct opinion upon the whole subject. That noble Lord swept away many of those means of oppression which existed prior to the passing of his Act; yet he proved that the public should expect every newspaper proprietor to exercise a discretion, not over the notes of the reporters that came in in different hands, and in a hurry, but over the proofs when printed from these notes, which was the only form in which reports were submitted to the editor or sub-editor. Thus all difficulties of reading the reports were removed by the practice of the newspaper offices. The present law proceeded upon the principle that a person who deliberately, and after seeing the proofs of a speech, should circulate libellous matter, ought to be held answerable for the publication of libellous matter he thus issued to the public. He hoped his hon. Friend opposite would think that he had put the point right; because at the present moment words spoken in the heat of debate by persons who, for want of practice, had no command over their expressions, were treated by law far more leniently, as mere scandal, than were words which were deliberately written, printed, corrected, and published. Yet this Bill would abolish this distinction and would subject the mere utterance of hasty words to the penalties of deliberate libel. He put it to the common sense of the House whether it was right to put the two cases upon exactly the same footing, and to award the same punishment? That, however, was not all. The Bill proposed that another principle should be adopted. It sought to enact, that unless a speaker could prove that he did not know that a reporter was present, then he should be liable for what the reporter might attribute to him. He would ask, was it intended that there should be a close and direct relationship between speakers and reporters? Were this to be the case, gentlemen would require to hire reporters whenever they wished to go to a public meeting, for otherwise he could not rebut, by equivalent testimony, the imputation which might be made by some reporter, who was unknown to him, that he had uttered libellous matter. If this were not done the effect of the Bill, if passed, would be, that although the reporter was not an agent of the speaker, and had really no connection with him, yet the latter would be liable for what the former attributed to him. The speaker, in fact, would be liable to be prosecuted for the act of a person who was not his agent, who was not acting on his behalf. Every unguarded speaker, at a public meeting, would, in short, be required to prove a negative. Words, for instance, might be attributed to him in a form and in a connection, in which he had not certainly used them; and he might be held responsible for words the meaning of which had been changed. How was he to prove a negative? Unless he had a reporter by his side who took down all that he said, he would, in fact, have no equivalent evidence to set up against that of the reporter who may have attributed to him certain expressions. The hon. Member for Leeds laid great stress upon the fact that the speaker would have the privilege of writing to a newspaper proprietor and saying—"You have attributed to me a meaning which I did not intend to convey, and made that a libel which was not one when I uttered it." But then it was to be remembered that the very first principle of the Bill exempted a newspaper proprietor from any necessity of exercising discretion with respect to the matter that he might publish. He was to publish the defamatory matter, if he chose to do so, and to be held free from prosecution on the strength of his attributing the libel to another person. This principle, however, was found to be too strong even by the promoters of the Bill. They strove to qualify it by declaring that newspaper proprietors should be obliged to publish apologies and retractations for unjust accusations which they might have inserted by way of report. This was good enough as far as it went, but let the House mark the qualifications which followed the means of escape for the speaker, "unless the explanation or retractation contained libellous matter." If it did, in the opinion of the editor, then he need not publish it. Thus the discretion of the editor was to be invoked at the second stage of the transaction, after the harm had been done, instead of requiring the exercise of the discretion of the editor in the first instance to prevent the publication of the scandal, supposing it to have been uttered in words by the speaker at some public meeting. This proviso, moreover, would be of little avail in protecting speakers from contortions and misrepresentations of their meaning, and the consequence would be that the freedom of public discussion would be very much curtailed and restricted. It should be remembered that the proprietors of newspapers have already a distinct privilege: they can plead that they publish reports of speeches not maliciously, but in the course of their business. The Bill, in fact, proposed to extend the privilege of a small section of the community at the expense of freedom of speech at present enjoyed by the public. The first thing which the Speaker of the House of Commons did upon the assembling of the new Parliament was to crave from the Throne freedom of speech; and, that being so, the House ought very jealously to guard a privilege of such value, and not to impair or renounce it merely for the sake of increasing the privileges of the Press. The conduct of debate, the free expression of opinion in public, was one of the chief means upon which they depended for preserving honesty among all classes of society; and if a blow were aimed at this freedom of speech the public morality would suffer. Public opinion would be to a great extent emasculated. He considered that this Bill was dangerous in its tendencies. They were told that the second reading should be agreed to because it was only sanctioning the principle *pro formâ,* and that there would be plenty of time to discuss the provisions of the measure at a subsequent stage. This was an argument which he hoped would carefully be guarded against, as it was calculated to mislead. According to the practice and constitution of that House it was the custom to decide the principle of every measure upon the second reading: it was very desirable that this practice should be preserved, for there was a feeling growing up among the public that the House was somewhat departing from its old custom in this matter, and that the principle of measures was not sufficiently tested. This point was referred to in a pamphlet which he had recently seen, and which was entitled, *The Democracy of Reason, or the Organization of the Press,* just published by Simpkin and Marshall. The writer, after touching upon this point, proposed that the Press should be so organized that every subject could be canvassed by a central committee of the Press before being submitted to Parliament, that the whole initiation of legislation should be made over to a central committee of the Press as organized. [*A laugh.*] Hon. Gentlemen might laugh; but let them read the pamphlet. The proposal was not carelessly made, but with an ability which was most striking; and, seeing that there was a feeling displayed among the members of the Press, that great questions were often not sufficiently considered, he asked the House to pause before—as it would by passing this Bill through its second reading—thus carelessly encouraging contemptuous reflections with respect to the capacity of Parliament, as now constituted, to conduct the great business of the nation. Neither the hon. Member for Leeds nor the right hon. Gentleman the Judge Advocate (Sir Colman O'Loghlen) were men of equal authority upon this question of libel as the late Lord Campbell—the author of the legal principle, which by this their Bill they sought to reverse; that principle being, that the responsibility of publishing any libellous report should rest with the person who published it. Upon this point he would quote the opinion of the present Attorney General (Sir Robert Collier), who, in a debate which arose in the autumnal Session, when the Judge Advocate had attempted to slip this Bill through the second reading on the same day that it was delivered to Members, said—

"If the Bill had been confined to the clauses which gave extended liberty to the Press, he should have endeavoured to expedite it. . . . . . But the Bill appeared to contain other provisions, which he deemed to be in the last degree objectionable. There was the provision tending to restrict freedom of discussion at public meetings. The third clause provided, for the first time, that a man should be liable for what he spoke at public meetings to the same extent as if the words were written. He (Sir Robert Collier) held not only that there was a difference made by the law of this country, but that there was a fundamental distinction between words spoken and words written. Words written were taken by the law to express the deliberate conviction of the writer; words spoken had a different force attributed to them. Allowance was made for expressions used in the heat of debate. Besides, some men had not sufficient command of language to express their opinions with perfect clearness; and it was well known that a constant conflict of testimony was going on as to what words had really been spoken on a particular question. For these, among other reasons, he thought the law had wisely protected the privilege of speech, so far as a man did not impute to his neighbour an indictable offence, or something calculated to be injurious to him or his business. As for speeches calculated to bring men into contempt or ridicule, he had heard such, not only out of the House, but in the House; and a high authority among them had said that invective and sarcasm were the ornaments of debate; yet the object of invective and sarcasm was to hold their adversaries up to ridicule and contempt. Without, however, entering on this matter, he might say that, because an essential part of the Bill tended to curtail the privilege of discussion in a manner injurious to the public interest, he thought it highly desirable that the principle of the Bill should be discussed in that House, and he advised the hon. and learned Baronet (Sir Colman O'Loghlen) to concur in the Amendment of the hon. Member for North Warwickshire so far as not to press his Motion for the second reading."—[3 *Hansard,* cxc. 312. 313.]

The Solicitor General, who was present, had, in the following Session, that of 1868, also expressed himself strongly against some of the principles embodied in the Bill. He said it was very desirable that all that was true should be published, but not that which was untrue. They had heard some remarks about fair reports; but what was a fair report? Was it to be conceived that local newspapers could give a full report of every speech made at every meeting which took place? That was out of the question, and yet no report, which was not a full report, could be a fair report. A condensed summarized report was the work of the intellect of the reporter and of the editor, and not the production of the speaker. Isolated passages, when taken without their context, and put together, unless very carefully selected and arranged, might not convey the meaning of the speaker. The proprietors of newspapers were already invested with great privileges, and were possessed of great powers, but he thought it would be dangerous to exempt them from the responsibility to which they were at present liable, and to exempt them at the expense of the public speaker. For these reasons he should move that the Bill be read a second time upon that day six months.

MR. LIDDELL seconded the motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. T. CHAMBERS said, this was not simply a question of relieving a certain number of persons in the community from a supposed grievance, but one which in many vital points touched first principles in the most important department of constitutional law. It touched principles vital to the liberty of the subject and vital to the administration of the law. It bore, for instance, on the vital question of liberty of speech. That freedom was one of the most important privileges secured to the people by the Constitution of this country—one which lay at the very foundation of all our liberties; and it, therefore, became important to consider whether, if this Bill were passed, that privilege would not be seriously impaired. Under the law as it at present stood a person who spoke under the influence of excitement at a public meeting, and made use of epithets in the heat of the moment which he could not afterwards justify, could not be prosecuted for libel; but if the measure now proposed were agreed to he could be so prosecuted. Moreover, the Bill laid it down that a man could be held guilty and punished for an offence which the Bill itself said he had not committed, while the man who had committed the offence was to be held harmless and allowed to escape. That was a principle which ought not to be sanctioned. It touched too first principles connected with the administration of the law. No question had been discussed more fully than the Law of Libel; on none had the opinions of the judicial tribunals been more frequently delivered; but this Bill would upset them from the foundation. It was said a grievance existed which required such a remedy. But the grievance must be proved; it must be a serious one—one of which there was a loud and universal complaint—not a trifling affair, or one on a mere matter of procedure—before they could be called on to over-ride the principles of the Constitution and the law in order to apply such a remedy as was now proposed. The whole question was a novel one—it was proposed to give not liberty, but license. What was the grievance? The hon. Member for Leeds (Mr. Baines) had said that numerous Petitions had been presented in its favour. Well, he (Mr. Chambers) had referred to the Report of the Committee on Public Petitions, and he found twelve Petitions had been presented, with fifteen signatures. He did not call that a large matter or a loudly expressed grievance. It was, on the contrary, a ludicrously small one. The Preamble of this Bill was in these words—"Whereas it is expedient to amend the Law of Libel." But, looking to all that has been said in favour of the Bill, he must say that it was inexpedient so to amend the Law of Libel. He would contrast with this the Preamble of the Act 6 & 7 *Vict.* c. 96. The title of that Act was—"An Act for the better protection of Private Character, and for more effectually securing the liberty of the Press, and for better preventing abuse in exercising the said liberty, be it enacted," &c. Now, he (Mr. Chambers) would vote for any Bill to which such a Preamble could be honestly prefixed, and he would vote for the

Bill of the hon. Member for Leeds if it would accomplish these objects more effectually than Lord Campbell's Act; but it was perfectly obvious that the hon. Member could not put such a Preamble to his Bill. In what position were newspaper proprietors and editors at present? In an action for libel it was competent for the defendant to plead that the libel was inserted in the newspaper without actual malice and without gross negligence. The plaintiff in such action must therefore prove, in order to recover, actual malice or gross negligence. Was not that protection enough, or was the newspaper proprietor to be protected though he might have published libellous matter with actual malice and gross negligence? What was the history of this matter as regarded the publication of newspapers and books? From the reign of Henry VIII. to that of William III. there was a censorship of the Press. William III. very properly removed the censorship; but were no securities provided against an abuse of the liberty of printing? On the contrary, the printer and proprietor of a newspaper had to register their names at Somerset House, and give securities in order to afford facility of redress to parties aggrieved by libellous matter. That was a guarantee to a certain extent that the newspaper would be properly conducted, and it operated as some protection to private persons. The hon. Member talked of the barbarous Law of Libel. He might as well speak of the barbarous Law of Murder. The Law of Libel was not of itself a barbarous law, for to assault a man's character was to do him as much wrong as to attack his person. It was quite true that up to a recent period there was a grievance in regard to the Law of Seditious Libel; but now the jury decided upon the facts, and with very great fairness between the Crown and the party charged. The Act of the 6 & 7 *Vict.* which put the law upon its present footing, was framed by a man who understood these matters as well as any one. The hon. Member (Mr. Baines) said that the Law of Libel was in a most unsettled and dangerous state, that nothing could be more scandalous, and that it was only three or four months ago that an action was brought against the publisher of a newspaper for publishing a debate in the House of Lords upon an important subject, and that the action failed, being held not maintainable under the circumstances. But did not his hon. Friend see that by citing this case he had cut the very ground from under his feet? It could not be said after that decision that there was any confusion on this point as to the Law of Libel, and the argument founded on this case was now of no force whatever. He thought the House ought long to consider before it passed a measure like the present. On reading the abstract of the 1st clause of this Bill, it must be seen that it would be utterly impossible for the House to pass it, because it enacted that—

> "No proprietor of a newspaper shall be liable to an action or prosecution for a faithful report of the proceedings at a public meeting, and proof that it was such shall amount to a defence."

His hon. Friend said that nothing could be so important as the publication of these reports. But nothing could be so easy as to exaggerate their importance. Would the hon. Gentleman say that it was important the public should know how A. and B. abused each other at a meeting of a gas company in a small country town, and that their abuse should be carried into every corner of the country? It was important when a certain class of meetings was held, attended by a certain class of speakers, that the proceedings should be disseminated far and wide; but with regard to the great majority of public meetings such as he had alluded to it was a great waste of ink and paper ever to publish them at all. His hon. Friend by exaggerating the importance of these reports desired to prepare the mind of the House to form an undue estimate of the value of these provincial newspapers. He confessed he could not follow his hon. Friend at all in this matter. The hon. Member stipulated that it should be a full and faithful report; but the hon. Member for North Warwickshire (Mr. Newdegate) truly said there never was or could be a full and faithful report. But then his hon. Friend went further, and said with regard to any defamatory matter that all this virulence and abuse was the very part of a speech that ought not to be left out. He said that the public were interested in these investigations, in "sifting," as he called it, a man's character. No doubt, many provincial newspapers circulated a very much larger number of copies than they would otherwise do by inserting the scurrility spoken at public meetings. It made the report more racy and stimulating, especially if you happened to know the person whose character had been "sifted." If the publication of this matter were of so much importance as his hon. Friend alleged, he should go a step further and make the proprietor of the newspaper liable if he left out any of the virulence and abuse. The fact was the newspapers generally did leave it out. He was more familiar with the London than the provincial Press, but of the London Press it might be said they were not interested in the Bill, because they did leave out such matter. What his hon. Friend wished to obtain immunity for publishing was that part of a man's speech which the speaker generally regretted as soon as he had said it. That was the part which was now left out. When the editor came to it he described but did not report it, saying—"Here the speaker attacked So-and-so with much vehemence." All those who listened to the speech knew the speaker and the circumstances, and the slander, as slander, was harmless on that account; but if it went to every corner of the country where people knew neither the people nor the circumstances, the effect would be very different. The grievance lay in this—that a newspaper proprietor said he must get his newspaper out in time to print and circulate it, and that in order to enable him to do so he must do this injustice to the character of individuals. Getting the newspapers out in time was the first thing to be considered; but the publication of a newspaper was a business matter, and it could not be put as if it were the function of the Government or the action of a court of justice, or a debate in the Houses of Parliament. He agreed in the decision in the case of "Wason *v.* Walter;" but what analogy there was between that case and the cases put by the hon. Gentleman he could not see, because in the case of "Wason *v.* Walter" it was right that the publication of an important debate should not be suppressed when it turned, not incidentally upon the character of an individual, but when that character formed the whole subject of the debate. For these reasons he must give the Bill his strenuous opposition.

Mr. Serjeant DOWSE said, that when the hon. and learned Gentleman who had just sat down (Mr. T. Chambers) quoted the Act of Parliament he began to think he had left all his law behind him in Ireland. He discovered, however, that the hon. and learned Gentleman left out the particular passages he ought to have read. He omitted half the plea, leaving out the part of Hamlet altogether. If the arguments of the hon. and learned Gentleman were no better than his law, his hon. Friend (Mr. Baines) would have little difficulty in carrying his Bill. The hon. and learned Gentleman wished the House to believe that the defence to an action for libel was merely that the defendant had published the libel without malice and without gross negligence. Now, if that were the case, the pleas he would have drawn would nearly always have saved his clients because he could have shown that the subject-matter of the libel was inserted by inadvertence. The hon. and learned Gentleman had, however, left out the material part of the plea. The clause of Lord Campbell's Act said that in an action for libel contained in any public newspaper it should be competent for the defendant to plead "that the libel was inserted in such newspaper or other periodical without malice and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in such newspaper or other periodical selected by the plaintiff a full apology for the said libel;" and that on filing such plea such defendant should be at liberty to pay a sum of money into Court by way of amends. Why did the Common Serjeant of the City of London—who appeared to him to be a very uncommon Serjeant—make such an omission, and give him the trouble of getting up there to explain the matter? He had not the smallest intention of speaking in the debate, but he confessed he could not let such an opportunity slip. To the general principle of the Bill he gave his hearty concurrence. The distinction between libel and slander, which was well known to the law of England, had existed for centuries, but was based on no rational foundation whatever. It was not slander unless you imputed to a man misconduct in his trade or profession, the commission of an indictable offence, or that he was labouring under a contagious disease; but it was a libel to write or print of a man anything which was calculated to excite feelings of hatred, contempt, or ridicule against him. It appeared to him rather absurd that if a man said of another words which did not make him liable to an action for slander, a publisher should be liable to an action for libel for the same words if he put them in a newspaper. The hon. Member for North Warwickshire (Mr. Newdegate) said there was no such thing as a full and fair report. Well, but if the reports were never full and fair, the newspapers would get no protection whatever, because if it were necessary to prove that the report was full and fair and it was not, the plea was got rid of. It was necessary to fix the responsibility somewhere. He, for one, was as obnoxious as anyone to the charge of speaking hastily at public meetings, and if the effect of this Bill would be to make persons more cautious in what they said against the character of others, it would be a very wise and beneficial measure. In England the law was such that if an action were brought against a man the plaintiff got no costs unless the damages amounted to 40*s.*; but in Ireland, till lately, if a plaintiff only got one halfpenny damages the defendant had to pay all the costs. He heard of a case in which the jury assessed the damages at a halfpenny, and the defendant taking a penny-piece from his pocket said to the plaintiff, "Give me change out of that—the value of your character." In this case the halfpenny damages carried £450 costs. He should support the second reading of the Bill.

Mr. WATKIN WILLIAMS said, that the Law of Libel had its origin in a time when the art of printing was in its infancy, and public meetings were very rarely held. He supported the present Bill, not so much in the interests of the Press as that of the public. The Press had in fact become a medium for extending the area of public meetings. The great difficulty in the way of this Bill arose from the peculiar line drawn by our law between written and spoken slander. By the law of Scotland and France this distinction between written and oral slander was not recognized, and the House would do well to put the law of England on the same scientific footing as that of Scotland and France. Several Committees had inquired into the subject, and recommended this change. In 1834 a Committee of that House examined an eminent French jurist, M. Dupin, who forcibly pointed out the absurdity of our distinction between written and spoken slander. In 1843 the House of Lords appointed a Committee, including Lords Campbell, Brougham, and other Law Lords, who recommended this alteration in the law affecting defamation of character. The public demanded early and full reports of the proceedings of all meetings of public interest, and it was impracticable for the Press, under the conditions of newspaper publication, to examine into the truth of the statements made at public meetings before they were published. Under existing circumstances, therefore, justice and convenience alike demanded that honest and correct reports of such proceedings should not subject the publishers to an action for defamation. He supported the second reading of the Bill.

Mr. AYRTON said, he was sorry to interpose at this stage of the Bill, but hon. Members would see that it was quite impossible to take the sense of the House upon the Bill as it now stood for their consideration. It was one which involved a principle of very great importance, and he was sorry that the Bill had been brought on before Her Majesty's Government had had an opportunity of introducing a measure which they had in preparation, which would relieve the Press from the restrictions imposed in years gone by, and which were supposed in those times to be necessary. That measure, when it was laid upon the table, would be found to relieve the Press from every fetter, and to enable those who embarked in the publication of newspapers to carry on their occupation with the same freedom as in any other business. At the same time, while they gave the Press the most perfect freedom and permitted every one to establish a newspaper, it was necessary to consider most carefully whether, and in what way, they would alter the laws that now protected the public, so that any abuse which might arise from that perfect freedom might be corrected. It was desirable before the House pronounced an opinion on the present measure that the Government measure to which he had referred should be considered. Journalists had been treated almost from the commencement as if they were criminals, and were compelled to give security for large sums to meet any actions for libel. When the proprietors and conductors of newspapers were relieved from these oppressive conditions of former years, it would be necessary to consider what should be the law for the protection of individuals. The House would not be doing right to express an opinion upon a measure of such gravity and importance in the absence of the Attorney General, who ought to state his views on the subject. The hon. and learned Gentleman (Mr. Dowse) said, that under the Bill public meetings would be harmless, because everyone would control himself and would not indulge in so much freedom of speech. It was very easy for the hon. Member who had given such ample proof of his established reputation for eloquence to say that; but, so far as his experience went, the majority of the Members of that House did not possess the power of control which the hon. and learned Gentleman enjoyed, and were not capable of manifesting it as he had done—

And it being now a quarter before six,

Debate *adjourned* till *To-morrow.*

POOR LAW SCOTLAND.

SELECT COMMITTEE.

Order read, for resuming Adjourned Debate on Question [10th March], "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members." —(*Mr. Craufurd.*)

Question again proposed.

Debate *resumed.*

Motion, by leave, *withdrawn.*

Select Committee to consist of Twenty Members:—Mr. CRAUFURD, The LORD ADVOCATE, Sir ROBERT ANSTRUTHER, Mr. ANDERSON, Mr. ARMITSTEAD, Mr. CAMERON, Sir THOMAS COLEBROOKE, Mr. ELLICE, Mr. CRUM-EWING, Mr. ORR-EWING, Mr. FORDYCE, Mr. HAMILTON, Mr. LOCH, Mr. MACKINTOSH, Mr. M'LAGAN, Mr. MILLER, Sir GRAHAM MONTGOMERY, Mr. PARKER, Sir DAVID WEDDERBURN, and Mr. ARTHUR PEEL:—Power to send for persons, papers, and records; Five to be the quorum.

TURNPIKE ACTS CONTINUANCE.

Select Committee *appointed,* "to inquire into the Third, Fourth, Fifth, and Sixth Schedules of the annual Turnpike Acts Continuance Act, 1868, and report their opinion thereon."—(*Mr. Gathorne Hardy.*)

And, on April 2, Committee *nominated* as follows:—Lord GEORGE CAVENDISH, Mr. BEACH, Mr. WENTWORTH BEAUMONT, Mr. HENNIKER-MAJOR, Sir ROBERT ANSTRUTHER, Mr. WELBY, and Mr. HARDCASTLE:—Power to send for persons, papers, and records; Three to be the quorum.

House adjourned at seven minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 18*th March,* 1869.

MINUTES.]—PULBIC BILLS—*First Reading*—East India Irrigation and Canal Company* (31); Increase of the Episcopate* (34); Metropolitan Commons Supplemental* (35).

Third Reading—(£8,406,272 13*s.* 4*d.*) Consolidated Fund*, and *passed.*

PRIVATE BILLS.

Standing Order No. 179. Sects. 1 and 2 suspended; and the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House, extended to the first day on which the House shall sit *after the recess at Easter.*

DESPATCH OF BUSINESS IN PARLIAMENT—JOINT COMMITTEE.

Message from the Commons that they have appointed a select committee of six Members to join with the select committee appointed by this House, "to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses:" Sir GEORGE GREY, Mr. DISRAELI, Mr. BOUVERIE, Mr. WALPOLE, Mr. DODSON, Colonel WILSON-PATTEN.

Message to the Commons to propose that the joint committee on, do meet in the Painted Chamber *To-morrow,* at half past Three o'clock.

Ordered, That the select committee appointed by this House to join with the select committee appointed by the commons on, have power to agree in the appointment of a chairman of such committee.

RECENT MURDERS IN IRELAND.

QUESTION.

THE MARQUESS OF CLANRICARDE, in asking, Whether Her Majesty's Government will communicate to Parliament any reports from constabulary officers, stipendiary magistrates, or other agents concerning the causes of the late murders perpetrated in parts of Ireland within the last twelve months? said, he was mainly induced to put the Question in consequence of an announcement which had been made in "another place," that the

Government did not intend to introduce any measure relating to the land question in Ireland this Session. But he thought the social condition of Ireland at the present time was such that it ought not to be left unnoticed by the Executive or by Parliament. He would not detail the catalogue of crimes which had of late been committed in that country, for these were sufficiently notorious, and it was equally notorious that the perpetrators of them had not been brought to justice. Notwithstanding the improvement that had occurred in most parts of Ireland, this serious state of things existed in certain localities, and though he felt it presumptuous for a private Member of either House of Parliament to offer suggestions as to how the matter should be dealt with, he would venture to offer one which he believed to be worthy of consideration. He did not want any coercive legislation, nor did he desire a series of executions—for he should be content to "let bygones be bygones," if security for life and property could be effected for the future; but he thought inquiries similar to those lately made at Sheffield might throw light on the causes of these crimes, so as to assist the Government and Parliament in taking action on the subject. In certain parts of the country the people were setting the law at defiance, and practically exercising rule by what they would, perhaps, call "Vigilance Committees," the police being perfectly powerless. He should be among the last to apologize in any way for assassins, but, considering the limited extent of country in which this state of things prevailed, it was impossible not to feel that the condition of society and the customs and usages of all classes must be different in certain districts from those which obtained in the rest of the country. He thought, therefore, that the Lord Lieutenant should be empowered to issue a Commission of Inquiry whenever one of these outrages had been committed, in order to ascertain its cause and origin, and to bring the whole facts before the public. It had often, he was aware, been said that in Ireland there was no public opinion; the difference of feeling between classes and creeds being so great that, when a wrong was committed, the first inquiry of a person told of it would probably be whether the victim was a Roman Catholic or a Protestant, and his feeling would be more or less influenced by the answer to that question. It was obviously of the greatest importance to create a sound public opinion, which would be called into action on the conduct of individuals in cases where that conduct could not be restrained by law. Property, as was often said, had its duties as well as its rights; but the question was how those duties could be enforced; and that they had been neglected in certain parts and by certain persons was no reason for making laws which would affect the rights by which alone property in civilized communities could be held with security. With regard to Tipperary, which was the chief, though not the only, district that had lately been disgraced by these crimes, the late Mr. John Wilson Croker, as long ago as 1806 or 1807, published a remarkable and well-known pamphlet, in which he remarked on the absence of that healthy public opinion which prevailed in England, and he re-published it in 1822, during Lord Wellesley's administration. He (the Marquess of Clanricarde) could mention particular families in which there had been assassinations in successive generations; and the fact that these outrages were mostly confined to certain localities was a proof that the social and proprietary condition of those localities was unsatisfactory. The Government should therefore institute inquiries in those districts; for though these crimes cast a stigma on the whole country and on the Government, it would be a mistake to suppose that good relations did not subsist between landlords and tenants in Ireland generally. In many cases there had indisputably been oppression and injustice, and indeed this had been more than once animadverted upon from the judicial bench, but these were no excuse for assassination. As to legislation, were the rights of property to be interfered with because there were persons who abused those rights? All over the world from the earliest times rich men had had the power to oppress poor men, and had been bad enough to exercise it; but this was no reason for taking away rights upon which prosperity, and even civilization must depend. The Government ought to show a determination to uphold the law, while ready to amend it in every reasonable way. He was sorry, however, to say that language had of late been used respecting the land, not only in the "heedless rhetoric" of election speeches, but in pamphlets seriously and deliberately written, and which smelt a good deal of the midnight oil, which language had tended to give the Irish peasantry a notion that the land was to be divided among them. This absurd notion was seriously entertained, and transactions had actually been entered into upon it as the credible intention of Parliament. At the time of the Fenian disturbance it was well known that people in America were actually advancing money on estates in Ireland, which were to be divided if the Fenians succeeded, and were likely to be confiscated by Parliament, even if the Fenians did not succeed. A degree of ferment had been excited which was dangerous to the Empire, and the subject ought not to be allowed to rest without a declaration on the part of the Government that there should be no legislation except upon sound principles. Opinions had been expressed by persons in Office, and by influential men not in Office, that the property of non-resident or Protestant landlords might be arbitrarily dealt with by Parliament, and these opinions had been broached by people who professed the principles of Free Trade. Now was it likely that capitalists would purchase or advance money upon land in Ireland when such doctrines were put forth? It might, indeed, be said that the English people had too much good sense to pay any attention to such notions; but they produced a great effect on the minds of the Irish peasantry. The Government had introduced a measure respecting the Church which they justly believed would be very popular in Ireland—but what effect had this policy had upon agrarian outrages? Why, notwithstanding the large majority in the House of Commons last March in favour of disestablishment, and notwithstanding the visit of the Prince of Wales in the following month, which gave great joy to the whole country, in that very month a series of outrages was commenced by the murder of Mr. Fetherstonhaugh in Westmeath. Another soon followed, and there had since been three in Tipperary—making five murders or attempts to murder. It was clear, then, that the peasantry paid no attention to the great measure which was now in hand, but that, having heard there was to be a division of the land, they were making themselves rulers of the land in those localities where discontent existed. There could be no palliation for murder; but the cases in which tyranny and oppression had been exercised should be brought to light, in order that the public might know that they were isolated cases, and that the relations of landlord and tenant were not unsatisfactory throughout the island, although the statute law required amendment. He hoped the Government—although they might not now be able to give any positive assurance or make any explicit statement—would be able soon after Easter, whether they brought in a Bill this Session or not, to state their views as to the principles on which legislation should be based, and that they would also be able to give some information to the House as to the cause of these melancholy events. He would now put the Question of which he had given notice.

LORD DUFFERIN: Considering the numerous agrarian murders and other outrages of that description which have lately occurred in Ireland, I am not surprised that my noble Friend (the Marquess of Clanricarde) should have thought it his duty to draw your Lordships' attention to the topics which formed the substance of his speech. As I had occasion to remark in this House only a week or so since, everybody connected with Ireland must feel deeply humiliated by the accounts of transactions of this description which have come before the public, and I can well understand that they have engaged the anxious attention of my noble Friend. With regard to the information for which he has asked, it would be extremely inconvenient to supply it, and for this simple reason—that those Papers and Reports contain allusions to persons who are suspected, indeed, of being implicated in those crimes, but against whom no sufficient evidence has at present been adduced. The publication of their names would, therefore, be very undesirable. My noble Friend has displayed an anxiety—I must say a very natural anxiety—and one, no doubt, which is shared in by your Lordships—to know what measures are in contemplation by the Executive in Ireland for putting an end to those outrages and murders, and for vindicating the majesty of the law. On that head I trust I shall be able to make a most reassuring announcement. Her Majesty's Government—as well in this country as in Ireland—are deeply sensible that they are bound by every consideration to do all that in them lies to bring these offenders to justice, and to make everybody understand who is in any way engaged in conspiracies of this description, whether as principals or as associates, whether by abetting or concealing the delinquents, that no pains or expense will be spared in bringing to justice the wretched and cowardly ruffians who are the authors of these atrocities. With that view the Lord Lieutenant has made an arrangement that whenever any outrage of this kind is reported—whether it be a murder or an attempt to murder, whether an ordinary agrarian outrage, or whether the lives of peaceable citizens are threatened by letters or in any other way—a considerable police force shall immediately be sent down to the district to be quartered upon the locality and to be supported out of the rates contributed by the inhabitants under the Peace Preservation Act of Ireland. Experience has proved that this is a very effective remedy for the prevention and discouragement of such offences, and I can assure your Lordships that Her Majesty's Government in Ireland will not hesitate to put it in force whenever the circumstances seem to justify the application of so severe a remedy. As, however, I remarked on a former occasion, and as has been fully acknowledged by the noble Marquess, it must always be remembered that these horrible crimes have been almost entirely confined to particular counties. They have been localized there; and the county where the greater number of them have occurred has been long known as the very centre and hotbed of Ribbandism, having for years past been noted for offences of this description, while in the rest of Ireland crimes of such a nature are almost as unknown as in any part of England. I have further to state—and I must say it is with very great pain and regret I state it, but it is my duty to do so—that it is the opinion of Her Majesty's Irish Government that this sudden development of crime in that particular county is in a great measure, if not entirely, to be attributed to the lax manner in which the law was applied to the punishment of an individual who placed himself within its clutches in that particular district. It is to that circumstance, as much as to any other that these crimes have been perpetrated in so fearless a manner. Be that, however, as it may I am happy to be able to assure your Lordships—if, indeed, any such assurance is necessary—that the Lord Lieutenant is fully sensible of the responsibility imposed upon him, and is perfectly determined to do everything in his power to bring these offenders to justice, and to make everybody understand that, however anxious the Government may be to inaugurate a policy of justice and conciliation towards Ireland—however anxious they may be to redress grievances, and, as far as circumstances may admit, to improve the laws which regulate the relation between landlord and tenant, they are, nevertheless, firmly determined to punish crime, to protect life and to make the legitimate rights of property respected. The most admirable administration of justice and the greatest energy on the part of the Executive must, however, prove ineffectual, unless a healthy public opinion seconds their endeavours. When we find that in the popular sentiment murderers are elevated into political martyrs, and that the butchery of a landlord, under the most atrocious and cowardly circumstances, is very often referred to by the Press in terms little short of complacent palliation; when the conscience of an uninstructed populace is blunted and their moral sense depraved, as is too often the case in Ireland by those to whom they look for guidance—that respect for human life which is the very foundation of human society becomes enfeebled, and the expedient of murder and assassination, which has been resorted to under the plea of patriotism or in the supposed defence of a tenant's natural rights, quickly becomes adopted, as seems to have been the case with respect to the unfortunate Mr. Anketell, whenever any vindictive spirit may fancy he has a grudge against a fellow-creature. It is not only to the Executive but to public opinion in Ireland that we must appeal; and I must say, as an Irishman, that if the educated classes of every party and of every religion, considering that the interests of all are engaged in producing such a result, will follow the admirable example set by his Eminence Cardinal Cullen, and the wise and patriotic counsels which he has lately promulgated, then, indeed, there will be a prospect of Ireland being at last free from that particular description of crime for which I am sorry to say she is the only country noted in Europe.

EARL GREY: The House is deeply indebted to my noble Friend (the Marquess of Clanricarde) for having brought under our consideration a subject than which there is none more deserving of serious attention. The increase of crime in Ireland is indeed most alarming. The want of security for life and property seems to be extending, and it is fatal to all hopes of improvement in that country. How can we expect a system of agriculture which is confessedly very backward to give place to a better, when neither tenants nor landlords are free to improve their property as it requires without bringing upon themselves a fearful death? How can we expect to find any enterprizes or manufactures to take root in a country—which, after all, has great natural advantages for such undertakings—when we find a great railway company, because it dismisses a servant for misconduct, liable to have one of its trusty and faithful servants barbarously murdered; and when, as I am told, that company had much difficulty in replacing some of those who have given up their situations in consequence of the alarm? How is it possible under such circumstances that improvements can be carried on? I heard with great satisfaction from my noble Friend (Lord Dufferin) that it is the determination of the Government, by a firm and vigorous administration of the law, to endeavour to check these offences and to grapple with that spirit of lawlessness which seems to prevail. I feel it my duty, however, to observe that I cannot but think it difficult to avoid connecting the present increase of crime in Ireland with imprudence both in language and in conduct on the part of Her Majesty's Government. We all know that persons holding very high situations have used strong language with reference to the oppression endured by the tenants in Ireland. They have declared the wrongs of the tenants to be so great as to require immediate and complete redress, and have encouraged the expectation that some great change in the law for their advantage would be proposed. I believe the Attorney General for Ireland went so far as to assure his constituents that this subject would be immediately and satisfactorily dealt with. And, unfortunately, the language that has been used has not only been very strong, but very vague. In all that has been said as to the oppression suffered by the tenants, very little reference, as far as I know, has been made to the great practical difficulties of this question—to the danger of rash and unwise legislation upon it—to the probability that by adopting some of the measures which have been recommended you would do infinitely more harm than good even to that class which desires such changes. I observe no reference to these things; but what I find is, that while, in vague and indefinite language, wrongs are dwelt upon and the redress of those wrongs promised, both the nature of that redress and the time at which it is to be expected have been left altogether in obscurity. All we know is that the land laws of Ireland are not to be dealt with in the present Session. Now, what was likely to be the consequence of such a mode of dealing with an excitable people such as the Irish, and in a very excited state of mind on this subject. We know for how many years disputes with regard to the land have prevailed in Ireland, what fierce passions have been aroused, and what deplorable results have followed. In this state of things what could be expected from the holding of such language by men whom they naturally respect and look up to? What could be the effect on the minds of the Irish peasantry when that language was coupled with the absence of any attempt whatever for the present to grapple with the question? Surely just what has happened—that the Irish people would be thrown back on their old plan of taking the matter into their own hands and enforcing their own code on landlords by the barbarous means they had formerly employed. These agrarian outrages, which we fondly hoped, a year or two ago, were gradually dying out and would soon cease, have, as is admitted, within a very short time become much more common. It appears to me that this is the natural consequence which might have been expected to follow from the conduct of the Government in at once stimulating by their language the eager desire of the Irish peasantry for some change in the law relating to the occupation of land, and refusing to explain what changes they contemplated. In my opinion this question of the tenure of land is of such pressing and urgent importance, that it was the duty of the Government on acceding to Office to take the very earliest steps they could to endeavour to effect some settlement of the question. And they had every facility for doing so. This subject has been repeatedly discussed of late years. Bill after Bill has been brought before Parliament, there have been Committees of Inquiry in both Houses, and every information that can be wanted on the subject was in the possession of the Government. Why, then, did they not introduce a Bill at the commencement of the Session? If it be said that the attention of the other House was fully occupied, it might have been introduced in this House. What was absolutely necessary for the peace of Ireland was, that, without a moment's unnecessary delay, the people of Ireland should be made clearly to understand the views of the Government on the question, the nature of the redress they were to expect, and how soon they might hope to obtain it. If the Government had determined that a Bill upon the principle of what was called compulsory compensation to tenants should be introduced, they might have brought it in. I believe it to be impossible to pass such a Bill without creating more injustice than we can redress; but, at all events, let us know the extent of it, for at this moment the wildest notions are entertained on the subject. People talk of fixity of tenure and compulsory compensation for improvements. Now, fixity of tenure is only another name for confiscation; and I do not think there are many persons either in or out of this House, who believe that a system of confiscation would be for the ultimate benefit of any class in Ireland. With regard to compensation for improvements, we are inclined at first sight to admit the justice of compensating the tenant for improvements he has effected; but when we come to look into the question we see that very great difficulties have to be encountered. The problem may, indeed, be solved, but I venture to say that hitherto no changes in the law have been suggested which would not aggravate rather than diminish the evil. The advocates of tenant-right have been heard by Select Committees, and some of them have enunciated views so wild that few would support them; while even those who have been the most moderate in the changes they recommended have, hitherto at least, been unable to point out a practical mode of getting rid of the objections to which those changes are open. There are, I know, many persons who still believe the principle to be a sound one. For myself, I can only say I should be glad to see it worked out; but hitherto no practical means of doing it have been discovered. Now, with the expectations of the people so vague and undefined, while they are looking for so much more than can possibly be granted, is it wise to excite them by denunciations of the wrongs they suffer, and at the same time to abstain from tranquillizing their minds by pointing out the nature of the redress they are to obtain? Every year a settlement is delayed the more difficult that settlement will become, for the population will become more and more wedded to the extreme notions which many of them have adopted. I deeply regret, therefore, that the Government have not endeavoured to grapple with the subject. After the long consideration it has undergone, and all the materials being before them, it would not have required a great deal of time to determine whether or not they could adopt this principle of compulsory compensation. If they could not—if they had been inclined to proceed on the simple principle of correcting the faults of the existing law, and—while introducing no new principles of legislation, to remove the obstacles which now stand in the way of voluntary agreements between landlords and tenants—to provide means by which those agreements could be cheaply made and their performance promptly and cheaply enforced—if this principle had been adopted, the work was almost done to their hands; because during the last two Sessions, a Select Committee of this House devoted very great labour, patience, and assiduity to the consideration of a Bill that was introduced by my noble Friend the noble Marquess (the Marquess of Clanricarde). That Bill was drawn with great ability by Mr.

Tighe Hamilton; it was most carefully considered by the Committee, with Mr. Hamilton's assistance; many Amendments were made in its provisions, and though in some points of detail I did not concur with the majority of the Committee, I heartily agreed in what I believe was the opinion of every Member of it—that the Bill as amended would have effected a great improvement in the existing law of landlord and tenant in Ireland. On this ground it was unanimously recommended by the Committee, of which three persons now holding seats in the Cabinet were members, as a measure which was fit to pass; and while we differed upon various matters, there were two points on which the Committee, as also the witnesses we examined, were unanimous. The first was, that the present law is calculated to produce misunderstandings between landlords and tenants, and to discourage the granting of leases, and is altogether nearly as bad as possible. We have heard it said, indeed, that the law of landlord and tenant is the same in Ireland as in England, and it is asked, "Why should it not work well in Ireland?" Now, there can be no greater mistake. The law in Ireland is practically not the same as in England, nor anything like it. By decisions of courts of law, and by various changes which have been made from time to time, the law, as regards small tenements in Ireland, has become so confused and so difficult to enforce that it is a disgrace to a civilized nation. As long ago as the time of Lord Devon's Commission, Mr. O'Connell—no mean authority upon the subject—condemned almost as strongly as I have now done the state of the law, and it has since undergone no material improvement. The other point on which the Committee and the witnesses agreed was that, even though it might be expedient hereafter to go further, the Bill, as amended by us, would effect an enormous improvement in the existing law—would do much to correct the evils now most complained of—would encourage the granting of leases, and would take away the most fruitful source of those misunderstandings which are the great cause of outrage and murder in Ireland. This was the opinion of every person whose opinion was given; and one gentleman, I remember, whom we examined, as one of the ablest exponents of the doctrine of tenant-right—while he would not admit that the Bill went far enough—stated distinctly that it was a step in the right direction. I wish Her Majesty's Government had decided to bring this Bill before the House; but, as they have not done so, I still hope the noble Marquess will again submit it to your Lordships, and will throw the responsibility of rejecting it, if it is to be rejected, on Her Majesty's Government. But my Lords, I have already observed it is not merely the increase of agrarian outrages which causes anxiety as to the present state of Ireland. It was not an agrarian outrage we have been startled with at Mullingar; it was a crime of a new and more formidable character—not altogether new, perhaps, but I do not remember an instance of so great a crime having been perpetrated with a view of coercing a great company such as a railway company. Now with reference to that outrage, let me call your attention to a Return which has lately been laid upon the table of the other House of Parliament. It gives the names of forty-nine Fenian convicts, who had been sentenced to penal servitude—thirty-four of whom are in Australia, and the remainder were in convict prisons at home—whom Her Majesty's Government have determined to release from custody. It also states the sentences passed upon them, and what portion of those sentences remain unexpired. If you examine this Return, you will find the earliest of the sentences was passed in December, 1865, the latest in October, 1867, and the majority in the latter year. You perceive, therefore that those prisoners who were first sentenced have served less than three years and a half; the majority have served only about half that time, perhaps little more than a year-and-a-half. And what were the sentences? Three of the men were sentenced to death, but their capital punishment was afterwards commuted to penal servitude for life. Now, we are all aware that a sentence of death commuted to penal servitude for life implies guilt of the most aggravated kind. The other convicts were sentenced to various terms ranging from five to fifteen years. Now, my Lords, it is only five years ago that the Commissioners of Penal Servitude called the attention of the Government and of Parliament to the injurious effects which arise from the arbitrary exercise of the prerogative of pardon. They pointed out that uncertainty as to whether a sentence passed by a criminal court would be fully carried out had the effect of diminishing the efficiency of our penal system and impairing the power of the criminal law in maintaining the peace of society. They therefore recommended that while according to certain fixed rules, criminals should continue to have the power of earning the remission of a comparatively small portion of the sentences passed upon them, the remainder should be uniformly and inexorably carried into effect unless where special circumstances called for mercy. That was the substance of the rule laid down by the Commissioners, and, if I am not greatly mistaken, it met with the full approval of both Her Majesty's Government and of Parliament, for legislation has been founded upon the impression that that was to be the rule for the future. But, my Lords, if that rule was adopted in this manner, with the implied sanction of Parliament, I want to know why it has been set aside in this case? Or, if it has not been set aside, what are the special or exceptional circumstances which justify this indiscriminate exercise of the prerogative of pardon with respect to the Fenian convicts? Are these exceptional circumstances to be found in the character of the crimes committed? Do you remember what the Fenian conspiracy was, the alarm it created, the mischief it did? Do you remember that it was a deliberate plot to overturn the Government of the Queen in Ireland, and to establish an Irish Republic, and to shrink from the adoption of no means, however atrocious, for the purpose of accomplishing that end? Midnight assassination, to burn or blow up or otherwise procure the death of Her Majesty's faithful troops were the means contemplated for this purpose; and though such wholesale slaughter was not accomplished, it was not the will but the power of the conspirators which failed. Still several murders were committed, several persons were killed in the execution of their duty, or afterwards shot in revenge for having exerted themselves in maintaining the authority of the law; and the criminality of the conspirators culminated in that frightful and unexampled outrage committed at Clerkenwell. My Lords, can the crime of taking an active part in such a conspiracy as this be viewed with special indulgence? Was this a case in which you should deliberately set aside the rules laid down with the approval of Parliament for the administration of penal justice? I say, exactly the reverse. Clemency had already been carried as far as it could be, with due regard to the peace and safety of Her Majesty's subjects, when the Government—very properly dealing leniently with the conspirators—prosecuted but a few of them on capital charges, and inflicted capital punishment on none but those whose hands were actually imbrued with blood. I am told that political offences ought to be viewed with indulgence—that they do not imply moral guilt, and that they may, therefore, be safely treated with more indulgence than you would show to ordinary criminals. I utterly deny the truth of that principle. I admit that persons have sacrificed their lives on the scaffold in fruitless attempts to upset some extremely cruel and oppressive Government, who are generally and justly regarded as martyrs rather than as criminals; but, even with regard to bad Governments, it has been held by very high authority to be criminal to use violence in opposing them, unless there has been, not only extreme oppression, but unless there is also a reasonable prospect of success. The evils of civil war are so great and certain that it has been argued—and as I think rightly—that even against the worst Government no man is morally justified in using force except with a fair prospect of success. Be that as it may, I believe no man of ordinary sense denies it to be true that nothing but the extreme case of a most cruel and oppressive Government justifies an appeal to force. When you look at the misery which civil war entails, to resort to it, without extreme provocation, is in the highest degree blameable. When that dire extremity is resorted to merely to gratify men's excited passions, or to forward their own selfish objects, no guilt can be greater. Surely, then, on every point of view that Fenian conspiracy was totally without justification. It had not the remotest chance of success; and I am certain there is no one who could for a moment say the Government of this country in Ireland was one of those cruel and oppressive Governments which justified an attempt to overturn it by force. For the last half century at least there has been nothing cruel in the Imperial Government of Ireland. If bad laws still remain there, constitutional means are at the command of the people to procure redress. I say, therefore, that in every point of view this Fenian rebellion was one of the most wanton and most wicked that could possibly be conceived, and that those who took part in it are more morally guilty, as they are certainly more dangerous to society, than the thief or the burglar. If there was, as I think, nothing in the offence to justify the exceptional exercise of the power of pardon on the part of the Crown, it appears to me there was everything in the state of Ireland to determine the Government against it. Disregard of law is the great curse of that country; to establish the authority of the law and to show the peaceful subjects of the Queen that they have nothing to fear ought to be the paramount object of every man who aspires to the name of a Statesman. But, observe, this offence of Fenianism is closely allied to that other offence I have just described, and the Fenian brotherhood is first cousin to the Ribband brotherhood. Ribbandism and Fenianism are the same in principle; they are secret societies in opposition to the laws and the constituted authorities. I ask you, at a time when Ribbandism is rife, is it wise, is it prudent, to show lenity towards a still more wicked secret society? More than this, the spirit of Fenianism is not extinct in Ireland. You know that by the manner in which the discharged convicts have just been received; you know it by the speeches and declarations made in public by the chief officers of two of the largest and most wealthy cities in Ireland. Why those speeches were not made grounds of criminal indictment—why the speakers were not called upon to answer for their seditious language—I am totally at a loss to comprehend. And when this impunity given to those who had used such language was followed by the release of the Fenian convicts, what other interpretation could be put by the people of Ireland on the conduct of Her Majesty's Government except that it must have been caused by fear, and that Her Majesty's Government consider engaging in conspiracies of this sort a venial offence? This ill-judged clemency seems to me to be very dangerous, because it leads people to suppose that resort to violence is the best mode of obtaining changes of the law. Already a good deal of effect of this kind has been produced. I have heard it said, on good authority, that a belief is generally held that it is owing to Fenianism that the question of the Irish Church has been brought forward by those who, as members of a former Government, only two years before opposed the making of even a small change, as calculated to inflame existing differences in Ireland. I cannot be surprised that such should be the impression produced by the mode of dealing with the Church question; and I think it is very dangerous in the present state of the land question to encourage a similar belief with regard to that. It is equally dangerous to lead men to suppose that engaging in conspiracies against the Government is a venial offence. I say that nothing is more calculated to sap the foundations of government. My noble Friend who addressed the House immediately before me, in his reply to the noble Marquess, said he attributed a great part of the increased crime in the South of Ireland to the injudicious lenity which had been shown by those who had been entrusted with the administration of the law. In that I agree with my noble Friend. I say in that sentence he has pronounced the severest condemnation upon the release of these Fenian prisoners which it was possible to utter.

LORD DUFFERIN: I beg to explain. I did not use the word "lenity" as applied to a criminal, but spoke of "laxity" in the prosecution of an offence.

EARL GREY: I thank my noble Friend for the correction. "Laxity" describes the conduct of the Government much better than "lenity," so I will call it laxity; but I think the laxity condemned in the South of Ireland was more strongly displayed by the release of these Fenian prisoners. I have thought it right to express my opinion upon these points, because the policy of the Government in the administration of Ireland seems to me to be gradually drifting more and more in a direction which is fatal to all just authority and good government. It is not without great reluctance I have expressed opinions so unfavourable to the course taken by Her Majesty's Government; but I should have been ashamed of myself if I had allowed any personal feeling to interfere with me in performing what I believed to be my duty when I perceived a policy was being pursued which was calculated to endanger the safety of this great Empire.

EARL GRANVILLE: I have to ask your Lordships' permission to be somewhat irregular in continuing a debate when there is absolutely no question before the House. I have no personal complaint to make of my noble Friend (Earl Grey), because three days ago he told me that this evening he should speak on the subject of the release of the Fenians, and yesterday afternoon I got an additional message from him stating that he should allude to the speeches of Mr. Gladstone, Mr. Bright, and the Attorney General. That was rather a vague notice, because the noble Earl did not couple it with the slightest indication of what speeches or passages he meant to allude to; and, considering the part the noble Earl has taken in recommending that public notice should be given of all matters to be brought before your Lordships' House, if he intended to make a speech on the two subjects he has discussed, it would have been more fair to independent Peers if he had put a definite Notice on the Paper, instead of basing his speech on the Question put by the noble Marquess. I concur with every word that fell from the noble Earl respecting the late outrages in Ireland, and more especially with what he said on the very bad feature, that whereas they have hitherto been confined to landlords, in a recent instance an outrage has been committed against a person belonging to a different class and interest. I ventured to say the other day that Her Majesty's Government, notwithstanding their wish to behave with the utmost conciliation towards the people of Ireland, are equally determined to show firmness in dealing with these outrages; and so impressed was the Lord Lieutenant with the soundness of the policy of the Government in that respect, and with the necessity of acting promptly in the matter, that, to my very great satisfaction, without even communicating with the Home Government, he took upon himself to adopt those measures which the noble Lord by my side (Lord Dufferin) has described, and which received the praise of the noble Earl. Going into some detail with regard to the tenure of land, the noble Earl complains that the Government have abstained from bringing in a measure on that subject, and he coupled the complaint with a remark which was rather singular; for, speaking of the difficulties of the question, he said nothing had ever yet been proposed, or could be proposed, which would not aggravate instead of diminishing them. I believe, however, that the noble and learned Lord opposite (Lord Cairns), when, on the first day of the Session he reviewed the measures recommended to the Legislature by the Government, did not complain that a Land Tenure Bill was not among them, but only reproached us with not dealing with the important question of education in that country. Perhaps the noble and learned Lord abstained from referring to the matter from the recollection that last year the Government to which he belonged announced that they had a measure ready, and even named an early day on which they would introduce it; but whether it arose from the fact that they had another great measure on the stocks or not I do not know, but certainly nothing was done. I think it is perfectly obvious—indeed it is an historical fact that whether rightly or wrongly, by the force of circumstances, or in consequence of anything left undone by Her Majesty's late Government I do not pretend to decide, the one great question submitted to all the constituencies throughout Ireland, as well as throughout Scotland and England, was the question of the Irish Church, and any one with the legislative and Parliamentary experience of the noble Earl must surely feel that, with a question of so much importance awaiting decision, it would be unfair to encumber it with a great number of other questions—questions, too, of a nature certain to excite considerable conflict of opinion, not only in the House of Commons, but throughout the country. I do not think that I need say any more to defend ourselves against that charge. My noble Friend, in the course of his speech, professed to quote certain words from a speech of the Attorney General for Ireland; but, unless the noble Earl possesses some special information on the subject, I should very much doubt whether the Attorney General ever promised that Mr. Gladstone would immediately introduce a measure which should give satisfaction to Ireland. I have also very carefully attended to the statements of my Colleagues with regard to the land question. One of my Colleagues, it is true, has propounded a voluntary plan on this subject; but both he and Mr. Gladstone have carefully guarded themselves against any proposal which is inconsistent with the sanctity of property and the principles by which its possession is protected. But my noble Friend (Earl Grey) has gone much further. He has attributed those outrages to the leniency lately shown by the Government with regard to the Fenians. Now, the information I have received goes to show that hitherto no connection has been traced between Ribbandism and Fenianism. No trace of it has been found in the numerous threatening letters forwarded for information to the Castle, not one of which has contained the slightest allusion to Fenianism. But my noble Friend objects to the release of certain prisoners connected with the Fenian conspiracy. My noble Friend stated very particularly that so far from there being no difference between the ordinary criminal offences and political offences, the latter offences were the more dangerous, and ought, therefore, to be attended with severer punishment. On that point, I am not prepared to say that he is not perfectly right. But, I believe that Her Majesty's Government must deal with these matters not purely in accordance with abstract principles, but that they must pay some consideration to the usages and preconceived opinions and feelings of the whole of the community. I will not refer to the opinions held in foreign countries; but what have been the opinions expressed by Statesmen in this country, during the last fifty years, with regard to transactions which have occurred in Rome, Naples, Poland, and formerly in Austria? The opinion is one that has been shared in by the whole community of this country. And what has been the legislative action in this matter? With regard to our extradition treaties it has always been the complaint made by Foreign Governments that the worst murderer, or the assassin of the deepest dye, could always remain in this country without danger if he could, by any means, show a connection between his crime and political feeling. And what has been done in this country? The liberation of convicted Chartists was the graceful accompaniment of a Royal marriage, and in 1848, Mr. Smith O'Brien and his confederates were all released before the expiration of their sentences. I was surprised to hear the noble and learned Lord opposite (Lord Cairns) loudly cheer the statement of the noble Earl that Her Majesty's Government had released one who had been sentenced to death, but whose sentence had been commuted to penal servitude for life; for I find among those released by the late Government the name of Michael Hanley, sentenced to penal servitude for life; and, among others also released occurs the name of Patrick Doran, convicted of high treason, sentenced to death, but whose sentence was commuted to penal servitude for life, and who, I presume, was not released without previous consultation on the subject with the noble and learned Lord himself. Now, I will not challenge my noble Friend on the cross-Benches (Earl Grey) to contradict me, because I know no limit to his powers in that respect, but I would ask if it is possible to take a rebellion on a larger scale, more fatal to life, and more destructive to property, creating a more enormous amount of misery, than the great rebellion in the United States, which only closed the other day? And yet does anyone think that it is unprincipled, inexpedient, or unwise that the person who was principally responsible for that rebellion, Mr. Jefferson Davis, should be permitted to reside at London or Paris? I believe Shakespeare understood the feeling of the people of this country better than the noble Earl does, when he wrote—

> "And earthly power doth then show likest
> God's
> When mercy seasons justice."

The late Government refused even to receive addresses on the subject. But Her Majesty's present Government thought that it would be better to act upon a principle which I trust they may be able to carry out—to unite conciliation with real firmness. The Irish Government made repeated scrutinies into every single case, and there were three classes of offenders whom from the first they determined not to release—the criminal, if I may so distinguish them, as against the purely political offenders—the class which comprised those who were known to be habitual conspirators, and those who, from their energy or talents as soldiers or men of letters might, if released, prove a source of danger in the present dormant state of Fenianism. Those who have been released are chiefly those whose health has suffered from confinement and bodily weakness—young men who may be characterized as enthusiasts and dupes—men with no moral or intellectual power, and whose release will not only be attended with perfect safety, but, so far from affording encouragement to Fenianism, will tend to prevent that growing sympathy for captives immured in this manner, the existence of which in Ireland cannot be a matter of doubt. I believe that the course we have adopted is one combining security and mercy; and I believe, moreover, that the results even at present have not been unsatisfactory. It is quite true that it may have given rise to some foolish speeches —to some absurd remarks. Something of this nature may reasonably be anticipated from a people naturally so excitable and impulsive as the Irish; but all these demonstrations, with, I believe, but one exception, have been purely in the nature of a hearty welcome given by his neighbours to the prisoner who has been restored to liberty. My noble Friend was justified in referring to the letter from the head of the religion of the great majority of the people of Ireland, not only emphatically condemning Fenianism and Ribbandism, but obviously going against some of the first feelings of the people to whom it was addressed by deprecating actions which, though committed with a charitable object, might be construed into showing favour and encouragement to Fenianism. The fact is the subscription has been successful only in Cork. At Belfast, there has been no collection; and the telegram states that the general failure of the subscription movement has been entirely owing to the action of the Roman Catholic clergy. I believe that the policy of punishing the leaders, but at the same time not showing vindictiveness against mere dupes and enthusiasts, is the only one by which we can put ourselves in a position to deal effectively with Fenianism, because I believe that by this policy we shall have the people of Ireland on our side of the contest.

Lord CAIRNS: My Lords, I cannot think that after the narratives which have appeared in the papers during the last week or two anyone can be surprised that the noble Marquess (the Marquess of Clanricarde) should have called your Lordships' attention to occurrences which we should all unite in deploring. I believe, however, that many Members of your Lordships' House—and myself among the number —supposed that a more fitting opportunity would have presented itself for a discussion such as that which has arisen this evening. At the beginning of the Session we were informed by Her Majesty's Government that it would not be necessary for them to come forward and ask for a renewal of the suspension of the Habeas Corpus Act in Ireland. That announcement was most gratifying to us all; but I thought an opportunity would be taken by the Government, either here or "elsewhere," to lay before Parliament the information of which they were in possession, and which would explain to Parliament the altered circumstances of the country, which caused Her Majesty's Government to think exceptional legislation of that kind no longer necessary. I suppose the Government have not taken that course because the Act for the suspension of the Habeas Corpus was an expiring one; but, as no information of that kind has been laid before Parliament, I think it necessary that I should say a few words in reference to the state of Ireland, as well as we are able to judge of it from the information before the House. My Lords, I myself, among the narratives of crime one has read within the last ten days, can recollect four instances of different kinds of crime, showing how widely spread must be the lawlessness which pervades that part of the country in which these crimes have been committed. The first of these cases was the murder of Mr. Anketell. This was a case in which an employer of labour felt it his interest to employ one man rather than another, and ill-will engendered by that proceeding was the cause of the assassination. To that I will add that if it be true—and I sincerely hope it is not true, though it is stated to be so not anonymously, but on highly respectable authority—that on the Sunday before the commission of the murder the victim was denounced from the altar of a Roman Catholic chapel, that circumstance must increase the horror of the crime and our regret at the state of feeling prevailing in that part of the country. The second case is that of a bailiff of a Member of your Lordships' House who was fired at. One account states that he was fired at not for an offence given to some persons not in the part of the country where an attempt was made on his life, but in another place. In another account we are told that he was fired at in mistake for somebody else whom those who fired at him had intended to shoot. If this latter report be true, it must add to one's horror of the recklessness of criminals who do not even take the trouble of making sure of the identity of the person against whom they would discharge their deadly malice. The next case that occurs to me is that of a man who sent his children to a school where they were under the instruction of a denomination to which he himself did not belong. That man died and was buried; but his coffin was taken out of the grave, stones were placed in it, and it was sunk in a lake, where the remains of the deceased man were exposed. This gives us a deplorable idea of the ruthlessness of the feelings of those who could perpetrate such an outrage. Then there was the case of an occupier of land whose dwelling-house was fired into. The inmates escaped only because they happened to be in bed. And yet it is under such circumstances as these that a wholesale pardon of prisoners has taken place. In such a deplorable state of things, the only consolation we receive from my noble Friend the Chancellor of the Duchy of Lancaster (Lord Dufferin), as far as I can see, is that, in the first place, Her Majesty's Government must rely on public opinion in Ireland; that, in the next place, the Lord Lieutenant will send to any district in which such offences are committed additional police, and order the expenses of this additional force to be paid by that district; and that, in the third place, the law will be administered with firmness by the Government. Now, as to public opinion in Ireland, it is divided into two classes. There is the opinion of, I hope, a small minority of the people, but still of a section whom we cannot disregard. By these persons not only are the offences to which I am referring winked at, but the perpetrators are shielded. I think, therefore, we cannot rely on that phase of public opinion. The other public opinion in Ireland is that of the majority, who regard those offences with horror: but I want to know what assistance they can give to the Government in preventing offences which are winked at, and the perpetrators of which are shielded by the minority of whom I have just spoken? The Government of this country has always had to a large extent opinion in Ireland on its side. If, therefore, public opinion in Ireland has any power in the matter, it ought long ago to have prevented such outrages. As to the Lord Lieutenant sending police and having them charged on the district, I want to know what satisfaction it can be to the man who has been murdered, or to the wife and children whom he has left behind him, or to those who are suffering from the crime to have an army of police sent down from Dublin to be paid for by increased local taxation falling on the innocent and peaceful portion of the community? Again, we are told that the law will be applied by Her Majesty's Government with the utmost firmness — and as this is a very important point I will refer to it at greater length. I think it is most important to see what are the principles which Her Majesty's Government have pursued with reference to those who had been reached by the law, who after a great deal of trouble had been convicted and were undergoing the sentence of the law. The noble Earl the Secretary for the Colonies says that the late Government discharged three criminals. [Earl GRANVILLE: Four, I think.] Well, say four. I have no personal knowledge of these cases; but I have no doubt that the late Government exercised a wise discretion in those instances. Indeed, I think if any one looks at the number of convicted persons then undergoing sentence—some eighty or ninety—and finds that only four were discharged, he will come to the conclusion that there must have been something peculiar and exceptional in those four cases which made the Government arrive at the conclusion that the clemency of the Crown should be exercised in their behalf. Do not let me be misunderstood. If the present Government were able to point to circumstances which showed a less degree of guilt on the part of certain individuals, so as to distinguish them from the bulk of the offenders, and which showed that they were either dupes or that they had been misled, that they were repentant for the offences they had committed, and that they had given promises of amendment and of future good behaviour, I should be the last man to desire to restrict the exercise of clemency on the part of the Goverment. But let us apply these principles to the action of the Government in this matter. In the first place we are told that the convicts have been released in consequence of the failure of their health. But it is impossible that the Government, since their accession to Office, can have heard from Australia that it is absolutely necessary that the convicts in that country must be immediately released on account of their health having given way. Then, can the Government say with regard to the forty-nine convicts who were released in Ireland that they were dupes, persons misled, and showing a disposition to abjure their offences? Can they say that the learned Judges who sentenced these persons were consulted and had advised the Government to release them, or that the convicts had given promises of amendment? I will tell your Lordships what I have read upon the subject in a newspaper which was put into my hands to-day. A person named Costello, who was No. 5 on the list of convicts, was sentenced to penal servitude for twelve years, having been, I believe, one of those who were engaged in the *Jackmel* affair; and no sooner is he released from prison than that person publishes in the newspaper to which I have referred a poetical composition of considerable literary merit—indeed, the production is so well-written that I should have thought he would have come under the literary class who were not to be released—headed "Don't talk but fight," and uttering sentiments which I should be sorry to read aloud in your Lordships' House. No. 15, John Warren, was sentenced to fifteen years' penal servitude; and from the same newspaper we learn that he was received with great triumph by his friends and acquaintances, and he also publishes a composition in which he inculcates upon the Irish people that the great means of regenerating the nation is the sabre. These productions are specimens of the feelings of two, at all events, of those who have been released in this country. What are the feelings of those who have been released in Australia one cannot, of course, yet know. But the matter does not rest there. I am happy to think that, whatever may be our political differences in this country, we are united in condemning the Fenian conspiracy. I give the noble Lords opposite credit for being as sincere in their abhorrence of the conspiracy as any on this side of the House. But, my Lords, we must not be content with merely holding opinions of our own; we must be careful that our opinions are not misunderstood by those in Ireland—we must be careful to ascertain what is likely to be the effect of these liberations on the minds of an ignorant and impulsive people. Now, forty-nine of these convicts have been discharged, and upon what occasion? The noble Earl (Earl Granville) alluded to the case of the Chartists, whom he said had been discharged after they had undergone a certain number of years' imprisonment. But upon what occasion were those prisoners discharged? The noble Earl says upon the occasion of a Royal marriage. But the discharge of the Fenian convicts has been upon the occasion of a change of Government. Now, my Lords, I cannot help recollecting what occurred in 1859. At that time there was a conspiracy in Ireland, which to all intents and purposes was the germ and shadow of the Fenian conspiracy—I mean the Phœnix conspiracy. The Government of the day prosecuted certain persons against whom they believed they had good evidence of their complicity in that conspiracy. In a great many instances the juries differed and the prisoners were sent back to gaol to await a second trial, while the only person convicted was sentenced to penal servitude for seven years. But, my Lords, there was a change of Government, and what was the consequence? Not only were the prisoners who were awaiting their trial discharged, but the person convicted was pardoned. The Phœnix conspiracy to all appearance collapsed; but not many months elapsed before it was revived in the form of the Fenian conspiracy, and Stephens, the very man who played so prominent a part in the first conspiracy, proceeded to take an equally prominent position in the second. The Fenian conspiracy having come to a head, the then Government succeeded, with great difficulty and at enormous expense, in convicting several of those whose complicity was proved with a conspiracy which was endeavoured to be carried into effect by such means as stabbing policemen in the back, blowing up houses and barracks, and by the Clerkenwell outrage. It was all very well for the Government to say that they had not pardoned those whose hands were actually imbued in the blood of the victims; but I contend that of the whole of those who took an active part in this conspiracy it might be said that their hands were more or less imbued in blood. Well, some eighty or ninety convictions having been obtained, certain exceptional cases were taken into consideration by the late Government, who pardoned some three or four of the convicts. But a new Government comes into Office, they are perhaps besieged by applications from various municipal officers in Ireland, and the result is that the prisoners are released. What must be the impression produced among the ignorant and excitable Irish population by this act on the part of the Government? Why, they must say—"We have now got a Government which has some sympathy for us; they have done for us that which the late Government would not do; they have released the great bulk of the Fenian conspirators; and, therefore, we must suppose that after all they don't think that the Fenian conspiracy was such a bad thing." The opinion of the Irish people upon this matter becomes of great importance when viewed in connection with another subject to which attention has been drawn—namely, the land question. I have found no fault with the Government for not proceeding with an Irish Land Bill during the present Session; but I do find fault with the Attorney General, and particularly with the right hon. Gentleman at the head of the present Government, telling the Irish people that the land question is one which they may expect to be taken up next to that which is occupying the attention of Parliament at the present moment. These two Members of Her Majesty's Government have told the Irish people that the land question in Ireland is in an unsatisfactory condition; but they have told them nothing more. But that is exactly the opinion of those who are agitating in Ireland; they also believe that the present condition of the land question is unsatisfactory, and therefore they agree with the Prime Minister in that respect. The Fenian conspirators will naturally say—"The Government are engaged at the present in a crusade to strip the Church of its property"—as to the policy of such a course I express no opinion at this moment—"we are told to wait until that is over, and then the land question will be taken up, and just as it fares with the Church this year so will it fare with the land next year." The noble Earl opposite (Earl Granville) has said that he has reason to believe that the clemency of the Government, which has been extended to this schedule of the Fenian offenders, has not been misplaced, and that the results of the clemency which has been shown are not unsatisfactory. I have already given your Lordships two cases in which it has been very seriously misplaced, and I have read to you the sentiments of the released convicts. I will now proceed to show your Lordships what are the feelings of other Irish persons, as exhibited in an Irish newspaper called the *Weekly News*, which was published in Dublin last Saturday—

> "The list comprises forty-nine names, and includes many gallant young fellows whose demeanour in the hour of danger and in the dock won for them the ardent sympathy of the Irish race. The greater number of the men whose sufferings are thus abridged are still in far-off Australia; but among those for whom the gates of the English prisons have opened, and who have already been restored to their homes, our readers will be glad to find the names of Charles J. Hickham, the gentle and the true; of William O'Sullivan, the worthy son of a worthy father; and of James F. X. O'Brien, whose eloquent vindication of Irish patriotism in the dock will be remembered while fearlessness and public spirit are honoured in Ireland. Among the released prisoners in Australia we notice with pleasure the names of Michael Moore, the pipe-maker, than whom not one of the brave band acted with more dignity and manliness; of James Flood, one of the heroes of the Chester raid, and unquestionably as fine a specimen of an Irish 'rebel' as ever confronted an accuser; and many others, whose daring deeds are remembered, and whose parting words are cherished in every corner of the land."

These are the persons whom the noble Earl described as being poor, weak, suffering creatures, who were discharged because they were so inoffensive and infirm, and because they could not do the least harm, even if they were so minded. The noble Earl complimented the Cardinal at the head of the Roman Catholic Church in Ireland because he deprecated collections on behalf of Fenian convicts; but I find, at a meeting in Limerick, held for the collection of funds for the

Fenian convicts, that Father Shanahan, the Roman Catholic curate of St. Michael's, made some remarks of a strikingly different character, which were received with great applause by his hearers. He says—

> "I do not by any means profess to be a Fenian. [A Voice: It is a pity you are not.] [*Cheers.*] Father Shanahan: But if Fenianism means love for Ireland—[A Voice: It does.] Father Shanahan: If Fenianism means attachment to my native land, if it means 'Ireland for the Irish,' if it means that we are able to govern ourselves as a people, then I am a Fenian. [*Loud and prolonged cheers.*] [A Voice: Three cheers for self-government.] [*Cheers.*] Father Shanahan: That cheer finds an echo in my heart, and not in my heart alone, but in the heart of many priests in Ireland. [*Renewed cheering.*] There may be, to be sure —I do not for one moment intend to conceal the fact—a few priests out of the hundreds who minister to the Catholics of Ireland of opinion that for the general welfare and advancement of our land we should be connected with a powerful nation, and that we would not be able to govern ourselves if separated. [A Voice: We would.] Father Shanahan: There may be a few, but I do not believe the priests of Ireland as a body, are of that opinion. [*Cheers.*] I am, therefore, proud to stand up here to-night and proclaim that I am not of that opinion. [*Cheers.*] I sympathize deeply with those men who for the past three years have suffered in the dungeons of British rule a protracted martyrdom. [*Cheers.*] I sincerely rejoice that their sufferings are now about to be brought to an end. I rejoice sincerely, I repeat, I rejoice as much as any man in this room—and I believe there are honest and sympathetic hearts here to-night ["Hear, hear!"]—and you must all rejoice with me, that the sufferings of so many are now about to be brought to a close. [*Cheers.*] And though it may be that the great man who directs the helm of State may not be able to procure us full justice"—

which means self-government, of course—

> "still we must honour him as the first of Englishmen who has proclaimed that Ireland must be governed from an Irish point of view."

The Irish point of view being the view of the speaker. But that is not all. Father Shanahan was followed by a town councillor, and I pray you to mark what he says, because it will help to dispel the noble Earl's delusion that this release of prisoners had worked beneficially for the country. Mr. Lawrence Kelly said—

> "I tell you at the outset I am a Fenian. [*Cheers.*] The Habeas Corpus Act has been restored, and I am not afraid of being taken in the morning, and I tell you, without any reservation, that I am a Fenian. [*Cheers.*] My father was a Fenian, and all our generations were Fenians. [*Cheers.*] I tell you every Irishman since the day the English invader put his foot on our shores, every Irishman who is not in the pay of the Government, is a Fenian."

This is rather opposed to the noble Earl, who propounded the doctrine, I believe, that Ribandism is the best antidote to Fenianism. Mr. Kelly adds—and I pray the noble Earl's attention—

> "We are promised disestablishment, a land Bill, and all those measures calculated to conciliate the people, and whom are you to thank?"

I dare say the noble Earl imagines the response will be "the Government." Not at all. The Report continues—

> "A Voice: The Fenians. [*Cheers.*] Mr. Kelly: The Fenians, unquestionably. I ask you now what concessions would the British Government have made, what would they have done for us but for these men, if it were not for the men in America? [A Voice: Three cheers for Grant.] [*Cheers.*] Mr. Kelly: I ask you for three cheers for General Grant. [*Renewed cheering.*] [Another Voice: Three cheers for Stephens.] [*Great cheering.*]

That is the view of the people of Ireland. We are promised disestablishment and a satisfactory solution of the land question; we are promised all sorts of good things, and whom are we to thank for it? The Fenians. Moreover, the Government, having just come into Office, know they have the Fenians to thank for it, so they are going to release them all.

EARL GRANVILLE: Not all.

LORD CAIRNS: No, not all; but thirty-four of them. Well, when I was reading this speech by Mr. Kelly I could not help thinking I had heard the key-note of it before, and then came to my recollection an expression which fell from a greater man than Mr. Kelly—I mean the present Prime Minister. I recollected, when the Fenian conspiracy had reached its height, and when the convictions were being obtained against some of these men now released, the present Prime Minister stated his view with regard to the Fenian conspiracy; and what did he say? Although the language is more guarded, although the sentences are more rounded, his remarks seem to me exactly to tally with Mr. Kelly's. This is what Mr. Gladstone said—

EARL GRANVILLE: On what occasion?

LORD CAIRNS: About the time these convictions were being obtained, the winter before last, or thereabouts.

EARL GRANVILLE: In Parliament?

LORD CAIRNS: I think it was at a public meeting. He said—

"These painful and horrible manifestations may perhaps, in the merciful designs of Providence—without in the slightest degree acquitting the authors of responsibility—have been intended to invite this nation to greater search of its own heart and spirit and conscience with reference to the condition of Ireland and the legislation affecting that country."

["Hear!"] No doubt, noble Lords cheer, but I want to know what is the difference between the two statements beyond method and style. It is the Fenians we have to thank, says Mr. Kelly. Mr. Gladstone puts it in much more becoming guise; he says Fenianism invites you to search your hearts and consciences and see whether something cannot be done for Ireland; but it is the same thing—the promises for Ireland's good are all due to Fenians, and, as accession to power is also due to these promises, the Fenians ought to be liberated.

THE EARL OF KIMBERLEY: We have certainly wandered a very long way from the subject brought before us by the noble Marquess (the Marquess of Clanricarde). One would have supposed that the speech of the noble Earl on the cross-Benches (Earl Grey) and the noble and learned Lord opposite (Lord Cairns) were based on a formal Motion censuring Her Majesty's Government for having advised the pardon of these convicts. I should not have risen to address your Lordships had it not been for this characteristic of the debate, but would have left the matter to rest on the argument of my noble Friend (Earl Granville). I rise lest anyone should suppose that, considering the part which I took with respect to the Fenian conspiracy, I did not heartily approve the conduct of the Government in the matter under discussion. I, however, accept all the responsibility which should fall upon me by virtue of my position; indeed, I should, perhaps, accept a larger share of responsibility, because I naturally feel that my opinion with regard to the advice to be tendered to Her Majesty must have weighed with my Colleagues more than it would have done if I had not had some share in the recent government of Ireland. I hope no one in this House will charge me either with indifference or undue leniency during the time I administered the government of Ireland. I remember that a very different tone from this at first characterized the comments upon my proceedings, and, though noble Lords were willing—out of consideration, perhaps, for my inexperience—to allow that I might be justified in the view I took of the serious nature of that conspiracy, very high authorities in this House were disposed to question whether I had not exaggerated the importance of the Fenian rising, and whether I had not resolved to take more serious measures than the case warranted. I remember also, exceedingly well, on my return to this country, after resigning Office—when I ventured to warn the House of the very serious nature of the Fenian conspiracy—that I was thought rather to have exceeded the limits which a calm view of the case would have dictated. Not long after a change of Government occurred, and to my great satisfaction the noble Lord who succeeded to the Office of Chief Secretary (the Earl of Mayo), and who is now Governor General of India—and than whom no one was more competent, he being an Irishman, to form a correct estimate of the movement—went as far as I had done, and fully confirmed what I had said. I say, I never was disposed to treat the conspiracy as a matter about which we ought to be indifferent. We have been told in strong language that this act of clemency was connected, in point of time, rather unfortunately, with a change of Government. Let me remind you that on a former change of Government a measure was adopted, as it turned out unfortunately, upon insufficient grounds, which at that time led to a similar charge. In 1867 the Government of that day did not think it necessary to advise the renewal of the suspension of the Habeas Corpus Act; and the Irish Attorney General, with some imprudence, boasted at his election that the newly-installed Government had not done so, seeking to obtain popularity by contrasting the policy of the Government with that of the preceding one. I should have been only too well pleased if his vaticinations had proved correct; but almost immediately afterwards there occurred the only open outbreak, and that Government was obliged to renew the suspension of the Habeas Corpus Act. I mention that, not as a conclusive argument, but as another coincidence. It was not the recent change of Government, but the fact that we were able to advise Parliament not to renew the suspension of the Habeas Corpus, which made it natural and proper for us to consider whether, as the country was about to return to the ordinary reign of law, it might not be possible to exercise clemency by releasing some of the Fenian convicts. My noble Friend (Earl Granville) has fully explained the manner in which the question was looked at. I never could consent to adopt—and it seems to me it would be utterly impossible to adopt, the principle laid down by the noble Earl on the cross-Benches (Earl Grey), and apply strictly and without remorse to political offenders the rules adopted with regard to ordinary criminals. The main consideration which ought to influence the Government in advising a general or a partial amnesty is this—Can political prisoners be released without endangering in any way the safety of the State? If safety no longer requires that they should be kept under punishment, I maintain that the time has arrived when an amnesty may be properly granted. This question has been argued as if we had released the principal conspirators; but twenty-two of the leaders, whom we consider it dangerous to set at large, still remain in prison. The cases were carefully examined by the Irish Government, and I believe the liberated prisoners are men who might be safely released without endangering the security of the country, or in any way encouraging these agrarian crimes. I need scarcely say I regard those crimes with the utmost abhorrence; but they constitute a continuous chapter in Irish history. The first of the recent outrages occurred some months ago, long before the present Government came into Office; the first symptom of the renewal of agrarianism, in an aggravated form, was the attack on Mr. Scully and his party. I do not for a moment connect the occurrence of these with the fact of the late Government being in Office. They are the consequences of rooted disease which successive Governments for the last fifty years have endeavoured in vain to eradicate. My noble Friend told us to put it down; the difficulty is to find out the way. I believe the powers which are given by the law to the Irish Government are the only powers which can be used with any effect; they are the powers of sending special police, who must be paid by the locality, so that the cost is a severe punishment. But any man who entertains the hope that these or any such measures will lead to the disappearance of the disease must know Ireland very little. These agrarian crimes, notwithstanding recent occurrences, have happily diminished of late years, and I firmly hope we shall see a still greater diminution of them; but to connect these crimes with the Fenian conspiracy and that with changes in the Government, and then to draw a general conclusion that the policy of Government is the cause of them, seems to me a complete *non causa pro causa.* Successive Governments have failed to carry Land Bills, and it seems to me it is infinitely better than exciting expectations to disappoint them, and for popularity's sake bringing forward measures which we know cannot be carried now, to confine ourselves to a policy which can be carried out.

THE MARQUESS OF CLANRICARDE denied having said that it was the duty of the Government to put down these outrages; what he said was that the Government ought to take steps to discover the cause of them, and then they would find it easier to frame a Bill which would give satisfaction to the people.

LAW OF HYPOTHEC IN SCOTLAND.

QUESTION.

THE DUKE OF CLEVELAND wished to know the terms of the Order of Reference, and whether there was any idea of assimilating the Law of Hypothec in Scotland to the Law of Distress in England; for although the two might be analogous they were not identical.

THE EARL OF AIRLIE said, the Order of Reference was confined to the Law of Hypothec in Scotland.

INCREASE OF THE EPISCOPATE BILL [H.L.]

A Bill for enabling Her Majesty and Her Majesty's successors to divide Dioceses and to erect additional Bishopricks in England and Wales—Was *presented* by The Lord LYTTELTON; read 1ª. (No. 34.)

House adjourned at Eight o'clock, till To-morrow, a quarter before Four o'clock.

HOUSE OF COMMONS,

Thursday, 18th March, 1869.

MINUTES.]—New Member Sworn—Thomas Whitworth, esq., *for* Drogheda.

Select Committee—*First Report*—Public Accounts Committee [No. 87].

Ordered—First Reading—Grand Jury Cess (Ireland)* [60].

Second Reading—Irish Church [27], *debate adjourned;* Marine Mutiny*; Mutiny*; Lord Napier's Salary* [57]; Civil Service Pensions* [46].

Committee—Report—Sea Birds Preservation* [28-59].

REVISION OF THE STATUTES.

QUESTION.

Mr. HADFIELD said, he wished to ask Mr. Attorney General, Whether the revision of the Statutes has been comcompleted, or what part thereof, and when a Report will be submitted to the House; and when a Bill will be introduced for repealing obsolete and useless Statutes?

The ATTORNEY GENERAL said, in reply, that the revision of the statutes up to the 10th of George III. had been completed. The process of revising the statutes since that date had been going on for some time, and he believed it approached completion. He was unable to say that it would be completed during the present Session. But he might state that it was under the consideration of Her Majesty's Government to prepare and issue a revised edition of the statutes.

INDIA—RIFLES FOR.—QUESTION.

Mr. DIXON said, he would beg to ask the Secretary of State for War, Whether an Order for Rifles has been received from the Indian authorities; and, if so, for how many; supposing such an Order to have been received, whether it is the intention of the War Office to allow the Rifles to be made at the Government Factory at Enfield or by the Gun Trade of the Country; and, if Guns made at Enfield for the Colonies and India are charged at the actual cost price, or whether a per centage is put on?

Mr. CARDWELL said, in reply, that it was intended to order 10,000 Sniders, and 1,200 arms of other classes for India, to be supplied from the gun factories of London and Birmingham.

NAVY—NAVAL CHAPLAINS.—QUESTION.

Mr. EYKYN said, he would beg to ask the First Lord of the Admiralty, Whether, in case the late Board of Admiralty came to the conclusion that the Chaplains of Her Majesty's Navy had a right to be placed on the same footing as those of the Army in regard to pay and position, the present Board intended to give effect to that conclusion?

Mr. CHILDERS replied, that in 1867 the late Board of Admiralty received a letter from a chaplain, pointing out that that Board had done something for the benefit of the other civilian officers of the navy, but nothing for them; and as they had no representative at Whitehall they could not memorialise. This led to inquiries, from which it appeared that the chaplains who were not naval instructors, received less full pay than army chaplains, but more half-pay, except after twenty years' service. About half the chaplains were naval instructors, and then their pay, as well as their half-pay, was much more than that of army chaplains. The late Board, in April, 1868, proposed to the Treasury to adopt the army scale, mainly on the ground that difficulty was experienced in obtaining properly qualified chaplains. This proposal was repeated in May, 1868, but the Treasury did not adopt it. He was not aware that the late Board came to the conclusion that navy chaplains had a right to be placed on the same footing as army chaplains; and, indeed, he could not imagine how such a right could be established. He should give due weight to their opinion on the subject of the proper scale of paying this or any other class of officers; but he was bound to tell his hon. Friend that so far from finding a difficulty in securing chaplains on the present scale of pay, he had received a great number of applications for these appointments, which he was wholly unable to comply with.

INDIA—MILITARY APPOINTMENTS.

QUESTION.

Mr. O'REILLY said, he wished to ask the Under Secretary of State for India, Whether he will have any objection to lay upon the Table Copies of the Memoranda or other official Documents which specify and describe the respective rights and functions with regard to

Military Appointments in India of the Governor General, the Governor in Council, the Commander or Commanders in Chief, and other authorities?

Mr. GRANT DUFF said, in reply, that he knew of no such memoranda or other official documents as the hon. Gentleman had alluded to. The distribution of military appointments among the various authorities in India was regulated by custom and usage, which custom and usage had been expressly recognized by the 21 & 22 *Vict.* c. 105.

CASE OF WILLIAM BLATCHER.

QUESTION.

Captain DAWSON-DAMER said, he would beg to ask the Secretary of State for the Home Department, Whether William Blatcher (the man alluded to by him as having died from injuries received on duty at the crossing where now stands the semaphore) was kept on full pay for eighteen months- and pensioned three weeks before he died, thus depriving his widow of the penny subscription of the force, amounting to over £30; whether, on the widow's application to the then Commissioner, Sir Richard Mayne, she was refused the usual allowance for widows and children on the ground that the man did not die in the service; and, whether the present Chief Commissioner would reconsider the case on behalf of the widow and four fatherless children?

Mr. BRUCE: The circumstances, Sir, of this poor man's case are not exactly those which have been mentioned by the hon. and gallant Gentleman. Blatcher had been in the police force since 1847. In May, 1866, he was knocked down by a gentleman's carriage and received severe injuries, in consequence of which he remained on the sick list till August, 1867, when he was dismissed with a pension of £32 a year. In the following October he entered Guy's Hospital as a patient, and died there in the course of a few days. The surgeons certified that he died of disease of the liver, but they refused to say that his death was caused by the accident which had occurred about sixteen months before. Under these circumstances Sir Richard Mayne did not consider himself justified by the regulations of the force in recommending the widow to the Secretary of State as a person who was entitled to a pension. Under those regulations the Secretary of State was empowered to grant a pension to the widow whenever a police officer died either immediately or ultimately, in consequence of injuries received while in the execution of his duty. As, however, a strong opinion existed among those who knew Blatcher that his death was accelerated by the accident, fresh inquiries shall be made on the subject, and if I am satisfied that such was the fact, I shall be happy to re-consider the case.

RAILWAY ACCIDENTS AT THE SWINDON STATION.—QUESTION.

Mr. CADOGAN said, he wished to ask the President of the Board of Trade, Whether any Report has been received at the Board of Trade of two fatal accidents which have recently occurred at the Swindon Station to two servants of the Great Western Company while crossing the line; and, whether the Board of Trade have any power to compel Railway Companies to make such regulations as will enable their workmen, while on the Company's premises, and in the discharge of their duties, to cross the line in safety?

Mr. BRIGHT: Sir, the Board of Trade have received no reports respecting the accidents referred to in the Question, and I may tell the hon. Gentleman that they have no power to compel railway companies to make such reports. The Acts of Parliament only compel railway companies to report accidents of a serious nature to the public using the lines, and do not refer to accidents to servants in their employ. I may state, however, that it is the intention of the Board of Trade to address a letter to the railway companies asking them to make returns of such accidents. From what we know of some of the companies, they, and probably indeed all of them, will have no indisposition whatever to make such returns, and, considering how many railway servants lose their lives in consequence of accidents, such information might in some cases be found useful.

SCOTLAND—PORTPATRICK HARBOUR.

QUESTION.

Sir JOHN HAY said, he wished to ask the President of the Board of Trade, Whether any course in regard to the disposal of Portpatrick Harbour has been determined upon in consequence of the Commissioners of Supply in Wigtownshire having declined to accept the terms offered with respect to it by the Board?

MR. AYRTON, in reply, said, that in consequence of the local authorities not thinking it worth their while to take charge of the harbour, it became necessary for the Government to consider what should be done with it. Before they could arrive at any conclusion it would be necessary, however, to obtain the opinion of the Legal Advisers of the Government upon many important questions, and until that opinion had been received, no decision could be come to as to what would be done with the harbour.

MAURITIUS—REPORTED FAMINE.

QUESTION.

MR. R. FOWLER said, he wished to ask the Under Secretary of State for the Colonies, Whether Her Majesty's Government are in possession of any recent intelligence concerning the apprehended occurrence of a famine in the Mauritius; and whether he can state what measures have been taken to prevent so great a calamity?

MR. MONSELL, in reply, said, he was happy to say, that, from the despatches received yesterday from the Mauritius, there was not the slightest reason to apprehend a famine. The monthly consumption of rice was about 75,000 bags. On the 17th of February there were 292,000 bags of rice in the island, and the cultivation was going on satisfactorily. The Governor stated that the arrears of wages on the 31st of December did not exceed the average, and if the colony was only spared the repetition of last year's calamity, there was every reason to believe that it would rapidly recover from its present state of depression.

ENDOWED SCHOOLS BILL.

QUESTION.

MR. CHARLEY said, he wished to ask the Vice President of the Committee of Council on Education, If he has any objection to state the grounds on which it is proposed to abolish the jurisdiction of the Ordinary over Church of England Endowed Schools?

MR. W. E. FORSTER: Sir, I beg to state that I propose to introduce into the Endowed Schools Bill a clause for repealing the law under which the Bishop of a diocese or an Ordinary has jurisdiction over schools and schoolmasters. The reason for so doing is that such jurisdiction is in reality obsolete, and it was thought there was no advantage in retaining as law an enactment which might be used for obstructive purposes. I shall be prepared to enter fully into the reasons for the proposed change when we come to the next stage of the Bill. If I do not explain those reasons now it is not owing to any want of deference to the hon. Gentleman opposite; but because, in regard to replies to Questions of this kind, it is not the custom of the House to expect or to encourage argumentative speeches.

IRELAND—MAYNOOTH COLLEGE.

QUESTION.

SIR GEORGE JENKINSON said, he would beg to ask the First Lord of the Treasury, If he will state for the information of the House, on what grounds he proposes to give to the Roman Catholic College of Maynooth the sum of £364,000, or fourteen years' purchase of their present annual payment, from the Consolidated Fund, whilst at the same time he proposes to give to the Protestant Clergy only about eight years' purchase of their present income?

MR. GLADSTONE: Sir, I need not trouble the House or the hon. Baronet with the reasons for the proceeding which he supposes Her Majesty's Government to recommend, because in point of fact they do not recommend it. As far as regards the fourteen years' purchase of the grant to Maynooth, and of certain other grants, the hon. Baronet is perfectly accurate, but he is not accurate with regard to the eight years' purchase of the incomes of the clergy. He has evidently been led into error by taking the gross amount of the income of the Church, as I stated it to be, and multiplying it by eight, so as to make it about equal to the sum which I named for compensation to the clergy. But in the gross amount of the income of the Church much is included which either never comes to the clergy at all, or comes to them in money's worth and not in money—in the way of occupation of houses and land. The actual number of years' purchase so taken for the clergy and others who possess life interests varies in different cases. In the case of Bishops I think it is twelve years; in the case of parochial incumbents thirteen years; in the case of Presbyterian ministers fifteen years; and in the case of curates seventeen years. Therefore, the period of fourteen years which I have named lies somewhere in the mean between those points.

IRELAND—FENIANISM.—QUESTION.

COLONEL ANNESLEY said, he would beg to ask the Chief Secretary for Ireland, Whether it is true that, on the 22d of February last, a man named Smith was arrested in the county of Cavan for having in his possession Fenian documents and resolutions regularly printed on green paper, and containing plans and schemes of the Fenian conspiracy, dated 1869; and, whether it is the intention of Her Majesty's Government to recommend the liberation of any more Fenian convicts?

MR. CHICHESTER FORTESCUE: Sir, some such Fenian documents have been found upon a man in Cavan, but I am not able, at this moment, to state the exact nature of them. I have written to Dublin for the Papers, and if the hon. and gallant Gentleman will repeat his Question on Monday, I shall probably be prepared to give a full account of the matter. With respect to the last part of the hon. and gallant Member's Question, I have to state that it is not the intention to give any further advice to the Crown concerning the liberation of Fenian prisoners.

SPAIN—THE "MERMAID."—QUESTION.

MR. HEADLAM said, he wished to ask the Under Secretary of State for Foreign Affairs, What has been the result of the proceedings with the authorities of Spain concerning the destruction of the ship "Mermaid?"

MR. OTWAY, in reply, said, he was glad to be able to inform his right hon. Friend that the proceedings in regard to the ship *Mermaid* were now terminated, and that the result was satisfactory. The labours of the Commission appointed to investigate the matter were interrupted by those occurrences in Spain with which the House were doubtless familiar, but when order was restored at Cadiz the Commission renewed their inquiry, which terminated on the 28th of February. The result was entirely in favour of the plaintiffs, who were to receive the sum of £3,866 10*s.* 11*d.*, and it was stipulated between the British and Spanish Governments that that sum should become payable within ninety days from the 28th of February. The decision, he believed, was considered satisfactory by the plaintiffs themselves.

ARMY—THE WHITWORTH GUN.
QUESTION.

MR. T. HUGHES said, he would beg to ask the Secretary of State for War, Whether a costly series of experiments is about to be made with a Whitworth 9-inch gun; whether a new 9-inch gun is to be ordered of Mr. Whitworth, and, if so, at what price; and, if so, on what conditions as to delivery within a reasonable time; whether any field guns are about to be ordered of Mr. Whitworth which are to be made of a peculiarly costly material, but otherwise in accordance with the existing Woolwich system; and, whether such experiments and orders are proposed or recommended by any professional department of the War Office or Admiralty?

MR. CARDWELL: Perhaps, Sir, the House may be aware that Mr. Whitworth has invented a new mode of making what we believe to be a peculiarly valuable gun metal. In consequence we applied to Mr. Whitworth for the use of a small quantity of the material for making an experiment with it. Mr. Whitworth declined, however, to allow us the use of the raw material, and we consequently applied to him to know whether he was willing to make a gun of the size mentioned in my hon. Friend's Question. An offer on the subject was accordingly made to the Government by Mr. Whitworth, but it has not at present been accepted.

VALUATION OF PROPERTY BILL.
QUESTION.

MR. LIDDELL said, he wished to ask the President of the Poor Law Board, The reason of the delay in printing the Valuation of Property Bill; and, whether, by reason of that delay, he will consent to postpone its Second Reading to some more distant day than the 1st of April?

Mr. GOSCHEN replied, that the delay in the printing the Valuation of Property Bill was occasioned by the great pressure of business in the Department. The Bill, however, would be in the hands of Members to-morrow, and care would be taken that they should have ample opportunity of considering its provisions before the Second Reading was proposed.

IRELAND—FENIAN SPEECHES AT CORK.—QUESTION.

Colonel STUART KNOX said, he wished to put a Question to the right hon. Gentleman the Secretary for Ireland, of which he had given him private notice, but if he were unable to answer it that evening he should have no objection to postpone it till a future occasion. He was anxious to know, Whether at a moment when the Government to which the right hon. Gentleman belonged proposed to destroy one of the bulwarks of the Nation, the Chief Secretary for Ireland would institute inquiries with reference to the following facts:—

> "A meeting took place in Cork yesterday, the Mayor in the chair in his civic costume, and strong Fenian speeches were made by O'Mahony and other Fenians; Colonel Warren declared himself a believer in the sabre as a means of uplifting a down trodden nation, and exhorted the people to be united, and there was nothing they might not obtain."

This was received with loud cheers; but I am bound to say that the Mayor is said to have stated that he did not approve of such language being used.—["Order."]

Mr. SPEAKER, Is the hon. and gallant Member giving notice of a Question he intends to ask?

Colonel STUART KNOX: I have just asked the Question.

Mr. CHICHESTER FORTESCUE: Sir, I gave my hon. and gallant Friend a private intimation that I knew nothing about this matter, but that I should be always ready to answer him whenever I had the smallest information about it, which is the only answer I can give him.

IRISH CHURCH BILL—[Bill 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

SECOND READING. [FIRST NIGHT.]

Order for Second Reading, read.

Mr. GLADSTONE: I rise, Sir, to move the second reading of this Bill.

Motion made and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

Mr. DISRAELI: Sir, when the right hon. Gentleman introduced the measure of which he has just now moved the second reading, he admitted that he was submitting to our consideration a gigantic issue, and he went on to say that a greater and more profound question had never been brought under the consideration of Parliament. Sir, I entirely agree with the right hon. Gentleman in his own appreciation of his measure, and I deduce from such an admission on the part of the First Minister of the Crown this conclusion—that if ever there were an instance which required on the part of this House its utmost judgment and deliberation, this is the case. I might add—not forgetting the peculiar character of many of the considerations involved in it—that it is one which also demands from both sides of the House much self-control and mutual forbearance. Now, Sir, it is more than 200 years since gigantic issues were decided on by the House of Commons. They were decided then with an earnestness of conviction not inferior to that which I am sure pervades this Assembly now; but, unfortunately, with a degree of passion and prejudice on both sides which turned out to be very detrimental to the country. The decision pronounced by the House of Commons at that time on gigantic issues was followed by a period of civil discord, not more distinguished for its long duration than for the costly sacrifices which both sides in the contest had to endure. That period of civil war was followed by one of violent tranquillity—if I may so style it—but one in which certainly the principles of civil and religious liberty did not flourish. At length the two parties, alike irritated and exhausted, terminated this great experimental chapter of our history with a passionate carelessness that recalled the old state of affairs without securing any of those objects for the attainment of which they had originally entered into the contest. Now, I cannot help feeling that what thus passed in the times of our predecessors may be profitable for us to remember; and that we may derive some instruction from it, and may resolve that, whatever may be the ultimate decision of Parliament on this gigantic issue, the country, which we fully represent, shall at least have the satisfaction of knowing that we have arrived at the conclusion to which we may come in the light of reason, in the healthy atmosphere of an instructed public opinion, with a deep sense of individual responsibility on the part of every Member in this House, and after the most vigilant and mature deliberation.

The right hon. Gentleman, in the measure which he has placed on the table of the House, proposes to accomplish two objects. The first is to sever the union between Church and State—which for the convenience of debate we call disestablishment. The second is to empower the State to seize the property of a corporation, which for the convenience of debate we call disendowment. Before I investigate the mode by which the right hon. Gentleman seeks to accomplish these objects, or speculate upon what I think will be the consequences if those objects are accomplished, I would ask the House to allow me for one or two moments to make a few general observations on the subject of disestablishment and disendowment. They are, to my mind, totally different matters, though they are frequently mixed up together, and the consequences of the one attributed to the other. In our debates last year —and, unfortunately, frequently upon the hustings—I observed the erroneous mode in which the consequences of disestablishment are attributed to disendowment, and in which the same process is followed *vice versâ*. Now, it seems to me that it will tend to the satisfactory conduct of debate if there is some general understanding as to what we comprehend by those words; and if, on the whole, we can contrive in our discussion to attach the same meaning to the same expressions.

Now, Sir, with regard to disestablishment, I myself am much opposed to it, because I am in favour of what is called the union between Church and State. What I understand by the union of Church and State is an arrangement which renders the State religious by investing authority with the highest sanctions that can influence the sentiments and convictions, and consequently the conduct of the subject; while, on the other hand, that union renders the Church—using that epithet in its noblest and purest sense—political; that is to say, it blends civil authority with ecclesiastical influence; it defines and defends the rights of the laity, and prevents the Church from subsiding into a sacerdotal corporation. If you divest the State of this connection, it appears to me that you necessarily reduce both the quantity and the quality of its duties. The State will still be the protector of our persons and our property, and, no doubt, these are most important duties for the State to perform. But these are duties in a community which rather excite a spirit of criticism than a sentiment of enthusiasm and veneration. All, or most of the higher functions of Government—take education for example, the formation of the character of the people, and consequently the guidance of their future conduct—depart from the State, and become the appanage of religious societies, of the religious organizations of the country—you may call them the various Churches if you please—when they are established on what is called independent principles. Now, the first question which necessarily arises in this altered state of affairs is—are we quite certain that in making this severance between political and religious influence we may not be establishing in a country a power greater than the acknowledged Government itself? I know this is a philosophical age. I know there are many who consider that the religious influence is a waning influence, and that it is a mark of an enlightened Statesman to divest the exercise of authority, as much as possible, of any connection with religion. These are not my views. I do not believe that the influence of religion is a waning influence in public affairs. I have, for a considerable time, rather been of opinion that we are on the eve of a period when the influence of religion on public affairs may be predominant. It is very difficult in a popular Assembly, as we all know, to touch upon subjects in which religion is concerned, and thirty years ago or so, when questions connected with religion were first constantly cropping up—if I may use the expression—in this House, it was curious and interesting to observe how both sides mutually agreed that, as it was necessary to legislate on these questions, Parliament should confine its attention as much as possible to the mere technical details of the Bills before it, avoiding any unnecessary reference to religious sentiment or principles. All this, however, has entirely changed. The religious principle; its influence upon man; its material consequences in endowments, in ecclesiastical establishments, in sects and synods; how far it is necessary in the exercise of political power that it should, to a certain degree, be consecrated; and how far it is necessary for the enjoyment of religious liberty that the civil authority should exercise some control upon the religious organization of the country—these questions have now become not only political questions, but the greatest of political questions. It is impossible for us any longer to avoid that discussion. All we can do is to meet these questions fully and frankly, and, if possible, in a spirit of charity, and of good temper, placing upon any expressions used on either side a favourable and friendly construction. I can only say that, if I make any of those rhetorical mishaps which are necessarily incident to our free habit of discussion in this House, I am sure no Gentleman opposite, or on my side of the House will suppose for a moment that I wish to wound his feelings or offend his conscience.

When we have to decide whether we can dissociate the principle of religion from the State, it is well to remember that we are asked to relinquish an influence that is universal. We hear in these days a great deal of philosophy. Now, it is my happiness to be acquainted with eminent philosophers. They all agree in one thing. They will all tell you that, however brilliant may be the discoveries of physical science—however marvellous those demonstrations which attempt to penetrate the mysteries of the human mind—greatly as they have contributed to the comfort and convenience of man, or confirmed his consciousness of the nobility of his nature—yet all those great philosophers agree in one thing—that in their investigations there is an inevitable term where they meet the insoluble—where all the most transcendent powers of intellect dissipate and disappear. There commences the religious principle. It is universal, and it will assert its universal influence in the government of men.

Now, I put this case before the House. We are asked to commence a great change, for it is impossible to consider the effect of this measure merely with the limited, though important, bearing, which is on the face of it. The right hon. Gentleman has himself given a frank and fair warning to Parliament. He has told them he was going to call for their decision upon a gigantic issue. He has himself admitted that a greater or more profound question was never submitted to Parliament. When, therefore, we are called to the consideration of these circumstances, it is absolutely necessary that we should contemplate the possibility of our establishing a society in which there may be two powers, the political and the religious, and the religious may be the stronger. Now, I will take this case—Under ordinary circumstances, a Government performing those duties of police to which it will be limited when the system has perfectly developed the first step to which we are called upon to take to-night—such a Government under ordinary circumstances will be treated with decent respect. But a great public question, such as has before occurred in this country, and as must periodically occur in free and active communities—a great public question arises which touches the very fundamental principles of our domestic tranquillity, or even the existence of the Empire; but the Government of the country, and the religious organizations of the country, take different views and entertain different opinions upon that subject. In all probability the Government of the country will be right. A Government in its secret councils, is calm and impartial, is in possession of ample and accurate information—views every issue before it in reference to the interests of all classes, and takes, therefore, what is popularly called a comprehensive view. The religious organization of the country acts in quite a different manner. It is not calm; it is not impartial; it is sincere, it is fervid, it is enthusiastic. Its information is limited and prejudiced. It does not view the question of the day in reference to the interests of all classes. It looks upon the question of the day as something of so much importance—as something of such transcendent interest, not only for the earthly, but even for the future welfare of all Her Majesty's subjects—that it will allow no consideration to divert its mind and energy from the accomplishment of its object. It, therefore, necessarily takes what is commonly called a contracted view. But who can doubt what will be the result when, on a question which enlists and excites all the religious passions of the nation, the zeal of enthusiasm advocates one policy, and the calmness of philosophers and the experience of statesmen recommends another? The Government might be right, but the Government would not be able to enforce its policy, and the question might be decided in a way that might disturb a country or even destroy an empire. I know, Sir, it may be said that though there may be some truth in this view abstractedly considered, yet it does not apply to the country in which we live, because this is a country in which we enjoy religious freedom, and in which toleration is established; and because only a portion of Her Majesty's subjects are in communion with the national Church. I draw a very different conclusion to that which I have supposed—and I believe fairly supposed—as the objection made to the argument I am now offering. It is because there is an Established Church that we have achieved religious liberty and enjoy religious toleration; and without the union of the Church with the State I do not see what security there would be either for religious liberty or toleration. No error could be greater than to suppose that the advantage of the Established Church is limited to those who are in communion with it. Take the case of the Roman Catholic priest. He will refuse—and in doing so he is quite justified, and is, indeed, bound to do so—he will, I say, refuse the offices of the Church to any one not in communion with it. The same with the Dissenters. It is quite possible—it has happened, and might happen very frequently—that a Roman Catholic may be excommunicated by his Church, or a sectarian may be denounced and expelled by his congregation; but if that happens in this country, the individual in question who has been thus excommunicated, denounced, or expelled, is not a forlorn being. There is the Church, of which the Sovereign is the head, which does not acknowledge the principle of Dissent, and which dares not refuse to that individual those religious rites which are his privilege and consolation. I therefore hold that the connection between Church and State is really a guarantee for religious liberty and toleration; that it maintains, as it were, the standard of religious liberty and toleration just as much as we, by other means, sustain the standard of value. If you wish to break up a State, and destroy and disturb a country, you can never adopt a more effectual method for the purpose than by destroying, at the same time, the standards of value and of toleration.

Now, I would wish to make one or two observations on this question of disendowment. I consider that if the State seizes the property of a corporation, without alleging any cause, it is spoliation. But if the State alleges some penal cause for its violence, though it may be an unfounded, tyrannical, and oppressive one, then I understand the act of the State to be confiscation. I make that distinction between the two processes, and I think the House will find that there is something in it. I am not about to uphold the doctrine that there is no difference between corporate and private property. I acknowledge the difference fully and frankly. The State has relations with all property; but the relations of the State with private and with corporate property are of a different character. I would attempt to express them thus—The relations of the State to private property are the relations of a guardian. The relations of the State to corporate property are those of a trustee. The duty of a guardian to his ward is mainly to protect his ward. The duties of a trustee are of a more complicated character. Undoubtedly his first duty is to see that the intentions of the founder are fulfilled, as far as the varying circumstances of generations will permit. I will make the admission—for I wish to argue the case fairly—that unquestionably if he finds that the resources at his command are extravagantly beyond what are necessary for the object in view, or that the purpose of the trust is pernicious, it is his duty to consider by what means a re-distribution of those funds and of that property can be safely accomplished. But this I do lay down as a principle which I will maintain against all comers—that under no circumstances whatever ought a trustee to appropriate to himself property of which he is the fiduciary. If that were to be permitted there would be no security whatever for property of any description. A Minister of State might throw his eye upon a wealthy corporation, and say—"I will confiscate this property, and apply it to the partial discharge of the National Debt or the entire discharge of the floating debt." Or he might say—"Taxation is never very popular; the taxation of the country which I rule is, on the whole, founded on just principles; but there are great murmurs not only against taxes but also rates; I will confiscate the property of this corporation, and I shall consequently be enabled sensibly to relieve the country, and thus, of course, obtain a great increase of power and popularity." But if that course were pursued, I am certain that the tenure of no property would be safe, and the credit of the country must collapse.

Having made these observations with respect to private and corporate property, I would now ask permission to state the grounds why I am, on the whole, entirely opposed to confiscating the property of corporations; why I view it alike with dislike and suspicion. The reason, Sir, is that, in the first place, whatever may have been the origin of corporate property—whether the gift of the nation, which was rarely the case, or the donation of individuals, as was generally its source—one thing is clear, that it is from its use and purpose, essentially popular property—the property of the nation, though not of the State. The second reason why I dislike all confiscation of corporate property is that I find that no great act of confiscation was ever carried into effect without injurious consequences to the State in which it took place. Either—generally speaking—it has led to civil war or established, what in the long run is worse, a chronic disaffection for ages among the subjects of the Crown. But if there be any corporate property the confiscation of which I most dislike, it is Church property, and for these reasons—Church property is to a certain degree, an intellectual tenure; in a greater degree, a moral and spiritual tenure. It is the fluctuating patrimony of the great body of the people. It is, I will not say the only, but—even with our most developed civilization—it is the easiest method by which the sons of the middle and even of the working classes can become landed proprietors, and what is more, can become resident landed proprietors, and fulfil all the elevating duties incident to the position. But there is another reason why I am greatly opposed to the confiscation of Church property, and that is because I invariably observe that when Church property is confiscated, it is always given to the landed proprietors. Sir, I hope that in this House I shall not be accused of being opposed to the interests of those connected with the land of this country. I look upon landed tenure of this country as, on the whole, one of the most beneficial and most successful institutions that has been created out of the feudal system. It is a tenure that, by dispersing over the soil a number of residents deeply interested in it, has secured local government, which is the best safeguard of political liberty; and, on the other hand, it is a tenure which, while it has attained for us these great social and political advantages, has been consistent with making the soil of this country, on the whole, the most productive in the world—that is to say, not only in the Old World but in the New World you cannot find a tract of land of equal size with that of the United Kingdom which is so generally and so uniformly productive. Therefore, I think I am justified in saying that it is a tenure which, both on account of its social and political advantages, and the great material consequences it has secured to the country, may be truly described as one of the most advantageous. I have not the slightest objection myself to the landed proprietors of the country increasing their wealth and increasing their power, so long as they do it by legitimate means—by the improvement of their estates, or in the fulfilment of those duties which the Constitution of their country generously, but wisely, has assigned to them. Sir, we know very well that the landed interest of this country will have their position examined and challenged as every institution and class in this age will be; yet I believe that, for the reasons I have indicated, they will give a triumphant answer, and issue from that scrutiny with the approbation and sympathy of the great body of their countrymen. But I am sure of this, they cannot, especially in this age, and in the circumstances under which we live, take a more short-sighted course to increase their property and their influence than to have any hand in sacrilegious spoliation.

Now, Sir, having made these remarks on disestablishment and disendowment, I would ask the House to examine the mode in which the right hon. Gentleman intends to put this process into practice in Ireland; and to consider, the while, what may be the probable consequence of the course which he recommends. The Government of Ireland is not a strong Government; its sanctions are less valid than those of the Government of England. It has not the historic basis which the English Government has. It has not the tradition which the English Government rests upon. It does not depend upon that vast accumulation of manners and customs which in England are really more powerful than laws and statutes. The Government of Ireland is only comparatively strong from its connection with England; and the reason the Government of Ireland is a weak Government is, that a considerable portion of the inhabitants of Ireland are disorderly and discontented. Now, I will not go at this part of my observations into an investigation of the causes, alleged or real, of Irish discontent. They are like Martial's Epigrams, some are just, some unjust, some are well founded, some fantastical, some are true, some false. But no one will deny that discontent exists; and I think no man will deny this also—I am speaking to both sides of the House, with candour to all parties—no one will deny that among the causes—I do not say the only or the chief, or anything of the kind—but I say all will agree that among the causes of Irish discontent is this, that a powerful clergy, exercising their influence over numerous congregations, have no connection with the State. Well, Sir, what is the policy of the right hon. Gentleman? "Ireland is discontented—one of the causes of its discontent is that a Church is not connected with the State; I will regenerate the country, and I will have three Churches not connected with the State." What must be the consequence of such a policy?

There is another point to which I would draw attention. Whatever be the sanguine expectations of hon. Gentlemen opposite as to the consequences of this measure if we pass it, I think they will agree that of itself it is not sufficient to terminate discontent in Ireland. There are other measures of equal importance, or even much greater importance, that are already mentioned in political circles of authority. Even the Prime Minister has not only acknowledged that the question of the land of Ireland is one of immense importance that must be attended to, but he has, I believe, pledged himself to take it in hand; at any rate, some of his Colleagues, before they were his Colleagues, have left in memorable and burning sentences what they consider the best plan for at least the partial remedy of this deep-rooted grievance of Ireland. I am, therefore, right in saying that when this measure is passed, if it do pass, we must still be prepared to encounter Irish discontent. That is a conclusion in which all sides agree. Well, now, Sir, have we a better chance of encountering Irish discontent when three Churches are disconnected with the State than when we have only one? How will it probably work? There will be great discontent in Ireland; and, whenever there is great discontent in Ireland, the Church that is not connected with the State always supplies a body of learned, disciplined, and eloquent men who are the exponents of that discontent. Well, you will then have discontent in Ireland, and you will have three bodies of learned, organized, and eloquent men who will only be doing their duty to their congregations by being the exponents of this great disaffection. It is not a wild assumption on my part, if I were to suppose that with the cause of the next great Irish discontent the land may be in some degree connected; and what will be the necessary and natural feelings of the three Churches on the land question? Sir, I do not, as some do — I do not myself contemplate the immediate cessation of all dogmatic differences between the three Churches. I am in hopes that year after year any asperity of this kind arising from such a source may be softened; but I think I may venture to say this — that there will be one dogma in which the three Churches will entirely agree; which will be as unanimously adopted as any that may be sanctioned by any impending ecumenical council; and that dogma will be this—that the clergy of the three Churches, whether they were disendowed in the reign of Queen Elizabeth or in the reign of Queen Victoria, have all been equally ill-treated. And where there is this general discontent upon the land question, they will naturally say—"We entirely agree with the feeling of the nation; the land question is a question that must be settled." They will say—"The people have lost the great estate which belonged to the Church as their trustees, and where it is neither the clergy who were disendowed in the reign of Elizabeth, nor the clergy disendowed in the reign of Queen Victoria, will be able to tell you." Therefore, I have not the slightest doubt myself that the general discontent prevailing, from the City of the Tribes to the capital of the linen manufacture, will find learned, earnest, and eloquent exponents of the wrongs of the country, without any reference to differences in religious creed. The land question will assume many forms with one purpose. The multiplied demand will be irresistible unless we meet it with an alternative, and what that alternative is I will notice subsequently. Such, Sir, in my mind, are the probable — I will not say immediate — consequences; but consequences that will occur in the early experience of many men who sit in this House of the policy of disestablishment in Ireland, as it is advised by the right hon. Gentleman the First Minister. And, Sir, such are the prospects which disestablishment affords us of rendering a people contented and a Government strong.

Well now, Sir, disestablishment offering a prospect of so ambiguous and unpromising a character, let us see how the right hon. Gentleman intends to act in regard to disendowment. The right hon. Gentleman proposes to deprive the Protestant Church in Ireland of its property. The natural question that immediately arises is—Why? Does anybody claim the property? Nobody claims it. Does the right hon. Gentleman believe that any other Church would use the property with more advantage? Certainly not, for he does not propose to give it to any other Church. Is the tenure of the property of the Church unsatisfactory and feeble? Quite the reverse. It is the strongest tenure in the country, and it does not merely depend on the Act of Settlement, as the estates of most gentlemen do, because it has a prescription of three centuries. One is naturally and necessarily anxious to know, under these circumstances — when no one asks for the property, when the right hon. Gentleman does not pretend that any other Church would carry out the intentions of the founders better than the Protestant Church, and when he does not deny that the tenure of the Protestant Church is a complete and powerful tenure — why he deprives it of its property? That, I submit, is a natural question to ask, and it is one on which we ought to have a satisfactory answer. So far as I could collect from the right hon. Gentleman's speech, to which I listened with unbroken interest and attention, the reason why he deprives the Protestant Church in Ireland of its property is, that the feelings of the Roman Catholics in Ireland are hurt by the Protestants having endowments, although the Roman Catholic Church wishes to depend on voluntary contributions, and although they are clearly of opinion that, because the Protestant Church is endowed, is the reason why the Protestant Church in Ireland is a comparative failure. I must say that this is the most extraordinary reason that has ever yet been adduced by a Minister for a great act of confiscation, and it becomes the House well and narrowly to consider it. It is an entirely new principle to take away the property of one corporation, because there is another body—to which he does not propose to give it—jealous of that corporation having the property. This, let me remind the House, is not only a new principle, but a new principle which may be applied to all kinds of property, and for this reason, because it has no peculiar reference to corporate property. It does not touch any of the attributes of corporate property, whether good or evil. The right hon. Gentleman, as the representative of the State—the great trustee in this matter — confesses that the property of the Protestant Church in Ireland is not greater than its needs. He professes that the provisions for the management of that property are not only good, but excellent and admirable. The right hon. Gentleman does not, for a moment, pretend that he has any other body in his eye that can carry out the intention of the original founder or donor better than the body whose property he is going to confiscate. It is not in his character as a fiduciary, or with reference to corporate property particularly, that this rule is laid down. It is a new principle that may be applied to private property to-morrow. It is the principle of forfeiture without a pretext. So far I ought indeed to correct myself. It is a new principle since we have had a settled Constitution, and since we came to live under the laws of progressive civilization. Otherwise it is an old principle enough, because it is the principle of tyranny and oppression in the darkest ages. But now see in what inscrutable mischief we may be landed if this principle is sanctioned. It cannot be confined to corporate property, because it has no affinity to corporate property. Apply it to private property. We are so used now to plundering churches that the moment a corporation is known to be in possession of a large property an hon. Member gives notice of his intention to bring the subject before the House. The fact is that our eyes are shut to the enormity of the circumstances when they are tested by objects with which we are daily familiar. Therefore, let us try this principle, which is an open principle, and not peculiar to corporations and apply it to private property.

I will ask the attention of the House to this part of the subject. In Ireland there are many estates—many large and many rich estates, and they belong, most of them, to Irish gentlemen. There are also many Irish gentlemen in Ireland, amiable and accomplished men, the most agreeable companions in the world, who have not large estates, and some of whom have no estates at all. After the announcement by the right hon. Gentleman of this startling principle of sheer forfeiture without the application to the property of any other machinery to carry out the intentions of the founders—after the proclamation by the right hon. Gentleman of this astounding principle —what will be the natural course of an Irish gentleman in the position I have described? [*A laugh.*] His argument would be this—it is a very serious matter for hon. Members, and it is only by proceeding in this way that you can test the validity of the principle—his argument would be this — The Irish gentlemen in the unfortunate position which just now excited the laughter of the House, would attend upon the Minister and say this—"We find ourselves in an anomalous position. Our breeding is not inferior to that of our habitual companions; our education is the same; our pursuits are similar; we meet in the same hunting field; we drink the same claret; we stand opposite to each other in the same dance; and our feelings are hurt by some of our companions having estates of £6,000, or £8,000, or £10,000 a year, with broad acres and extensive woods. We know well the spirit of the age, that the sentiment of selfishness is not to be tolerated. We do not ask for the estates of our more fortunate companions. All we ask is that you will take their estates away from them and establish, as one of the great principles of Irish regeneration, social equality; and let all Irish gentlemen, like the Roman Catholic Church in Ireland, live upon voluntary contributions." And yet this is the great principle which I am told, several hon. Gentlemen opposite have pledged themselves to support, and that without even being acquainted with it. I do not wish to press the case; I believe the parallel to be a sound one, and I am sure that great changes in the relations of property must follow from the success of the right hon. Gentleman's propositions. Still it may be said there is a distinction between corporate and private property, and therefore you press the case too much in the instance you have given. I do not think so. I have well considered the principle which the right hon. Gentleman has brought forward. I believe it is not peculiar to corporate property, and that gentlemen who have private property will do well to consider whether it does not touch their case. But I am willing to apply it to corporate property. I speak in the capital of an ancient nation, remarkable above all the nations of the world for its rich endowments. Charity in its most gracious, most learned, and most humane form, has established institutions in this country to soften the asperities of existence. There are three great hospitals alone in this city endowed with estates which would permit them to rank with some of the wealthiest of our peers. Their united revenues alone considerably exceed £100,000. The House knows well these great establishments — St. Bartholomew's, St. Thomas's, and Guy's. But there are other hospitals in the country, where the physicians are not less celebrated, the surgeons not less skilful, the staff not less devoted, and which give all their energies, thought, learning, and life to mitigate the sufferings of humanity. Well, I say, would it not, according to the new views and the new principle, be as painful as the existence of an Endowed Protestant Church is to the Roman Catholic hierarchy in Ireland, for these eminent physicians and surgeons and their devoted staff to feel that their greatest efforts were often unable to accomplish all that they desired, and that their position as a voluntary body sometimes entailed upon them humiliation? Why should not the Minister come forward in a like spirit with that which now seems to inspire his policy, and concede to these gentlemen that the painful anomaly should be terminated, and that St. George's Hospital, Middlesex Hospital, University College Hospital, and, perhaps, Westminster Hospital, all depending upon voluntary contributions, should be placed on a footing of equality with those great institutions which, by their endowments, imparted to those connected with them a factitious importance in the profession, by the process of depriving these latter of their estates? Well, there might, no doubt, a good deal be said in favour of that view. The Minister would have £120,000 a year to dispose of, and he could in the handsomest manner give it to the farmers of England towards the reduction of the county rates. And I ask you seriously, if you are to adopt these principles for Ireland, is it possible that you should not apply them also to England? As I proceed with my comments on this Bill we shall have some further opportunity of considering this question. There still are English Members with some influence in this House, and I hope they will consider on both sides of the House the position in which they will be placed with reference to this question. They are asked to make ducks and drakes of millions in Ireland, to assist persons who have only to meet the same duties and difficulties experienced in this country.

And now let us see how the right hon. Gentleman proposes to apply the power which you are going to concede to him of depriving the Church of Ireland of its property, and that on no plea whatever. Now, it is a very curious part of the measure to which I am about to call attention. Disendowment in itself, is not a complicated transaction. If a Government is strong, if a Prince has the power, it is remarkable with what facility he can disendow his subjects of all their possessions; and so a Minister, if he has a majority in Parliament, may disendow any corporation to-morrow. But when you have disendowed, if you have any regard not merely for principles of law, but also for the principles of a high policy, you offer some scheme in return by which the original intentions of the endowers may be fulfilled. In performing an office of that kind the difficulties of a Minister would not be great. For instance, there is the disendowment of the Episcopal Church of Scotland, which is often referred to in discussions and in speeches having reference to the policy of the right hon. Gentleman. There the course was very simple. The Government of that day determined to take away the property from the Episcopal Church of Scotland, and to give it to another body. A very short Act of Parliament did the business—it will be found among the Scotch Acts and is, probably, in the Library. By this it was declared that the property hitherto enjoyed by the Episcopal body, its manses, and churches, and tithes, should in future belong to, and that the duties should be performed by, the Presbyterian body, and the Act created a roving Commission to carry that piece of legislation into effect. In those days no great difficulty was experienced in such a transfer. But that is not the position of the right hon. Gentleman. The right hon. Gentleman, stepping out of his duties as the great fiduciary of the State, has made up his mind to confiscate the property of the Irish Protestant Church, but he has not made up his mind to give that property to any other body that could fulfil the intention of the original foundation. And therefore this has occurred to the measure of the right hon. Gentleman—one of the most remarkable results ever brought about by a Minister. Coming forward entirely to plunder the Irish Protestant Church, he finds that the only way in which he can accomplish his purpose is to ask the Irish Protestant Church to co-operate with him. This is the most notable part of this extraordinary measure. If the Irish Protestant Church does not co-operate with the right hon. Gentleman to carry out his policy he will be placed in a most difficult position. By his Bill he has confiscated the whole property of the Church; he will have on his hands some morning 1,500 churches, an immense number of glebe houses, property without end, and a very complicated trust to fulfil. Plainly, therefore, the Irish Protestant Church, if his plan is to succeed, must co-operate with him in carrying into effect all the details of his policy. I do not deny that the right hon. Gentleman may have a purpose so patriotic that it might so strike the Irish Protestant Church that it was desirable for them to sympathize with his appeal and say—"The blow, no doubt, is very great; but still, if it be as you say, absolutely necessary for the tranquillity of the country, for the advancement of good government, and for the general welfare of Her Majesty and her dominions that we should bear this legislation we will endeavour to do so." I can conceive a Minister making such an appeal, and I can conceive a great body answering in such a spirit, because I give Ministers and corporate bodies credit—which some people do not — for patriotic and enlightened feeling. But a Minister appealing to such a body, under such circumstances, would at least make the appeal in a most conciliatory manner, and would frame his propositions in a way calculated to soothe their feelings, and, as far as circumstances would admit, to respect their interests.

Now, how does the right hon. Gentleman act, and what are the terms which he offers to the Irish Protestant Church to induce them to co-operate with him to consummate his confiscation? As inducements, he makes them four propositions. The first is that the vested interests of every individual shall be respected. Well, I say that goes for nothing. There is no combination of circumstances under which at this moment any Prime Minister, in this country, proposing a confiscation of property—could hope to carry this without at the same time accompanying it with security for vested interests. You would outrage the feelings of Parliament and the conscience of the country by adopting any any other course. Respect for vested interests are the common-places of confiscation. I therefore pass them by. We come to the next proposition. The right hon. Gentleman offers the Church of Ireland, by a means to which I shall afterwards refer, and which I need not dwell upon now—he offers to those whom he is about to plunder—the possession of their churches on the condition that they undertake to keep them in repair. At least I understood from the right hon. Gentleman that such was the case. There is a variance sometimes between the Bill and the right hon. Gentleman's statement, as often occurs in these matters, and some confusion may therefore arise in attributing to the Bill what was in his speech. But I believe I am correct in saying that, according to the speech, they are to have possession of the churches.

Mr. GLADSTONE: On a declaration of their intention to keep them in repair.

Mr. DISRAELI: Yes, but what is a declaration of intention? I really do not know. It may be a deed sealed, signed, and delivered, and may involve engagements of the highest character and consequences. However, I do not want to split words with the right hon. Gentleman. There is no doubt about this—the Irish Church are offered the possession of their churches on condition of making a declaration of their intention to maintain them. But is that any great concession? By this policy the right hon. Gentleman will find himself one fine morning in possession of 1,500 churches at least. Somebody must keep them in repair. Even the Liberation Society would not tolerate that the churches should be allowed to tumble down. "You must keep the fabrics in order," they would say, "or you must raze them to the ground. We must not allow such a scandal through Christendom as that one of the kingdoms of Her Majesty is covered with sacred edifices tumbling to pieces, and that the aspect of regenerated Ireland is that of a general ruin." I say, then, that the right hon. Gentleman who will have these 1,500 churches to keep up, ought to be, as a prudent man, very glad if he can find any persons who would take a certain quantity off his hands. I can hardly believe that among his inducements to the Irish Church to co-operate with him in accomplishing its total confiscation the offer of their churches is—I will not use a coarse word —an inducement of a paramount character. And therefore I think we can hardly look upon it as a consideration valid enough to secure this extraordinary aid and union. There is a third offer; and here, again, there is a greater difference between the statement and the Bill. I am sincerely anxious not to misrepresent anything, and I shall state what I believe to be the true proposal. The Irish Church, or those who will represent it, are, as I understand, to retain the glebe houses, provided they discharge the debt upon them, which is so great as to make these houses unmarketable. Well, that proposition does not appear to me to be invested with those glowing colours which ought to induce the Archbishops, Bishops, deans, and clergy of Ireland to co-operate with the right hon. Gentleman in what I shall show you is a scheme of entire and complete confiscation. Then there is a fourth proposition, respecting which, it appears to me, that there is a very considerable misconception, and that is the appointment of a Commission for the benefit of those gentlemen who are possessed of vested interests. The object of that Commission, we are told, is to enable the clergy to capitalize their vested interests, which will then become the trust property of a certain body, to which I shall afterwards have to advert. It is estimated that the interests thus capitalized would be certainly not less than £6,000,000—some say it would be much more; but that includes two small items which, strictly speaking, are not vested interests, and, therefore, I will not dwell upon them. But I suppose there is no doubt that the capitalization of those vested interests, if all the incumbents would agree to capitalize them, would produce a sum of £6,000,000, and a great many people are under the impression that the Irish Protestant Church would thus be left with an endowment of £6,000,000. Sir, that is a great misconception. I do not mean to say it is a misconception of the right hon. Gentleman; far from that. It is a misconception which people who do not trouble themselves with details, and are captivated with fine statements, lightly run away with. But the fact is, it is a delusion. Now, in the first place, is it the interest of the incumbents to capitalize their vested interests? These vested interests will be secure, if anything can be secure in these days of spoliation. They will be secure by the engagements of the Government, and they ought to be paid with the punctuality and the precision of the dividends. Why, therefore, should the person who possesses and enjoys a vested interest come and exchange it for a security of less value?—for the security of an unknown body cannot be equal to the security of the Government. But there is another reason why I doubt whether the possessors of vested interests will be apt to capitalize them, because, even if they considered the security of this new body were equal to that of the Government, or, from an *esprit de corps*, were willing to accept an inferior security, must they not feel that they have no security whatever that these £6,000,000 put into the hands of this unknown body may not be confiscated? No one can suppose, after such a rude shock to public credit and to national feeling, as the confiscation of any corporation in Ireland must produce, no one can suppose that the 2,200 incumbents and Bishops would come, and at once make a new fund, which, after all, is tainted by having originated from the old confiscated fund, and which, in a moment of political passion, may be considered to have retained all its odious characteristics, and therefore to be worthy of confiscation. Having, therefore, given some reasons why incumbents will not capitalize their vested interests, I want it to be clearly understood that, even if their vested interests are capitalized, no permanent endowment can grow from that capitalization. That appears to me to be perfectly clear. It is a point of the utmost importance, and I mention it now in order that it may be well discussed in Committee. I do not see how any permanent endowment can accrue. As the body to which I shall have afterwards to refer is in the position of an insurance company—if it gain on one life it may lose on another; but on the average there are 2,000 clergymen, and when all the lives have terminated, and all the vested interests come to an end, it will be found that the debtor and creditor account will be pretty nearly balanced. Therefore, I cannot believe that those who are possessed of vested interests will take advantage of this proposition, and if they do I want to impress on the House—for there are many hon. Gentlemen on the Liberal side who do not wish for confiscation—I want to impress on the House that no permanent endowment can accrue from the scheme. That is the main conclusion which ought to be borne in mind, and which, I trust, will be borne in mind in this debate.

Now, Sir, I have shown the House that the right hon. Gentleman is in an extraordinary position, and it will require all his genius to get him out of it. He comes forward as a great confiscator, and then he finds that he cannot accomplish the act of spoliation without the cordial co-operation of those whom he is going to rob. It did require the fervent spirit of the First Minister of the Crown to have devised such a scheme; and, whatever the result, I think its ingenuity is really an honour to the British Parliament. I have shown that, having devised the scheme, he has offered four inducements to the Irish Protestant Church to co-operate with him, and I have also shown that the four inducements are utterly futile. For the sake of time, I will not recapitulate what they are, because I am quite sure they must be in the mind and memory of every hon. Member. Well, but is there anything else in the Bill which might justify the Irish Church, however disappointed, to this act of supernatural patriotism? The manner in which the Roman Catholic Church is treated in this Bill as regards the College of Maynooth — is that an inducement to the Irish Protestant Church to co-operate in its own spoliation?

Now, in making any comments upon Maynooth I am anxious not to be misunderstood. If this measure is to be carried, or any measure of the kind, I cannot consider the case of Maynooth with any prejudices arising from the objects for which the endowment was made. I only view the case of Maynooth as I view that of any person disturbed and distressed by a Bill of this kind. If the safety of the State does require measures of this kind, I say that the interests you deal with should be dealt with justly, and in the highest sense liberally. That is the principle I would lay down, and I could make no exception of course of Maynooth. Therefore, if I make any comments as to the arrangements proposed with regard to Maynooth, it is not because Maynooth is concerned that I make them, but because there is exceptional treatment in this as in other instances, and because it does not appear to me that equal justice is meted out. I will not touch upon the point upon which an hon. Baronet (Sir George Jenkinson) addressed a Question to the right hon. Gentleman this evening. I think the hon. Baronet was quite entitled to put that Question, because I know that men of the highest authority think that part of the scheme founded on principles of the most ambiguous nature. I willingly accept the explanation of the right hon. Gentleman, although it was an explanation which, as far as justice was concerned, was not altogether satisfactory. But I do not dwell upon that. I apprehend that, when we come to consider this question, the life interests, whether Roman Catholic or Protestant, ought to be estimated and appraised on the same principles. But, Sir, in the arrangement with respect to Maynooth—and that arrangement is one of those which are to induce the Irish Protestant Church to co-operate with Ministers—there are circumstances which appear to me to be of an invidious character. Now, we shall assume for a moment that the same number of years are taken in calculating vested interests, both Protestant and Roman Catholic. But in the case of Maynooth the vested interests, on no pretence whatever, could be estimated at fourteen or even seven years' purchase. You have applied to all the students of the College, so far as I can understand the scheme of the Government, the same principles which, according to the version given by the right hon. Gentleman this evening, are applied to those who enjoy vested interests in the Protestant Church. Now, Sir, that is not just. The position of a student or scholar at Maynooth is not analogous in any degree to that of an incumbent in the Irish Church. The right hon. Gentleman talked of the vested interests of the Professors. No one grudges the vested interests of the Professors. They are entitled to the full and liberal appreciation of their vested interests; but we have the best evidence of what the amount of the vested interests of the Professors is. I was in the House when Sir Robert Peel brought forward the Maynooth Endowment, and I remember the particular impression that was made on the House as he proceeded, but not in detail, to propose the amount of salaries to be given to the chief officers of Maynooth. For reasons which are obvious he said that he should propose for that purpose an endowment of £6,000 a year. Now, therefore, we know that the vested interests of the Professors, on which the right hon. Gentleman enlarged, must be calculated on the basis of an endowment of £6,000 a year, and with those figures I confess I never could arrive at the results to which the right hon. Gentleman has come. Now, Sir, are there any other reasons with regard to Maynooth which should also make the Irish Protestant Church refrain from accepting the proposition of the right hon. Gentleman? I think that such reasons may be found in the source from which the right hon. Gentleman has acknowledged, not only in his speech, but in his Bill, that the compensation for the College of Maynooth is to be derived. This appears to me to be a subject of great seriousness, and one on which the right hon. Gentleman owes an explanation to the House. If there was anything which we understood from the debates of last Session, and from the speeches of last autumn—if there was anything which was more clearly understood than another from the fervid declarations made on the impassioned hustings of Lancashire, it was this, that although the Protestant Church of Ireland was to be plundered, none of its property was to be given to the ministers of any other religion, and none of its property was to be applied to Imperial purposes. These were the reiterated pledges given to the country; and upon the understanding of those and of similar declarations, no doubt, the vote of the country was taken. Well, Sir, are those pledges redeemed by the measure before us? Is that double engagement of the Prime Minister fulfilled? I put it to the candour of both sides of the House. I have referred to the debates of the last Session of Parliament, and to the declarations made from the hustings of Lancashire last autumn; but, Sir, I need not have revived any painful memories, I might have appealed to the Preamble of the right hon. Gentleman's own Bill. In the Preamble it is said that it is expedient to do several things—that the Irish Church should cease to be established by law, that the proceeds of the property of the said Church, after satisfying all just and equitable claims, should be held and applied for the advantage of the Irish people, but not for the maintenance of any Church, or of the clergy of any other communion, nor for "the teaching of religion." Why, Sir, that is the Preamble of the Bill. One would have supposed that the arrangement was made after the Bill had been drawn, and that by some inadvertence—nobody attends to a Preamble—the original Preamble was allowed to remain. It must be the Preamble of the first Cabinet Council—it cannot be that of the last. But how stands the case as regards the fulfilment of the pledges that all the property of the Irish Protestant Church should be devoted to Irish, and not to Imperial purposes? Maynooth is supported at this moment by the Exchequer of the Empire. The *Regium Donum* is supplied from Downing Street. But now they are both to be supplied by the confiscation of property which, whether it be Roman Catholic or Protestant property originally—I do not now go into questions of that kind—both Roman Catholic and Protestant must agree with me is Irish property, and to that amount the Imperial Exchequer is to be relieved, in the face of pledges which all must acknowledge were repeatedly and solemnly given, and under which no such result could have been contemplated.

Now, let us see what may be the general result on the state of the Protestant Church when this measure is carried to completion; because, however unnatural, however impossible it may seem that the Church of Ireland should co-operate with the right hon. Gentleman, we cannot discuss the merits of this measure unless, as we proceed with it, we assume that the Church will, however unwillingly, co-operate with him. Assuming then, that they will co-operate with him—assuming that his plan is carried, let us glance at what in a few years will be the position of the Protestant Church in Ireland. And I put this before hon. Gentlemen on either side of the House convinced that, in respect to a great measure of this kind, they must be impressed with the wisdom of acting with generosity as well as justice. Now, it is quite on the cards—it is not only possible, but highly probable—that in a certain number of years, probably in the ten years which the right hon. Gentleman fixes upon, the Irish Protestant Church will not have a shilling of property; while they will see, on the other hand, a richly endowed Roman Catholic clergy and a very comfortable Presbyterian body, and both provided for out of their own property! Well, is it desirable that such results, not of severe justice, but I say of unnecessary injustice, should be accomplished by Parliament? It is very true that it is said there is the sum of £500,000 which will go to the Irish Church in satisfaction of the private endowments created since 1660. I do not touch now on what I thought the highly unsatisfactory part of the right hon. Gentleman's speech, fixing on the year 1660; for, in criticizing this measure, with the great indulgence of the House, I must, of course, omit many points. But the interest on that £500,000 —which is by no means clear to me will be £500,000, though I will take it as £500,000—the interest of that sum would not keep in repair the churches of which we have heard so much. If they are to undertake the repair of those churches, there must be a fund for the purpose, and £16,000 or £17,000 a year would be absorbed in that way. Well, what else have they got? What is most extraordinary, the right hon. Gentleman has absolutely proposed that £20,000 a year for ten years, or £200,000 in all, should be given to the body of Church Commissioners in Dublin who are to manage this great transaction· Why, will not the New Church Body have as large a task to fulfil, which will probably cost them £10,000 a year, or it may be £20,000?—for if they do their work completely, it can hardly be less expensive than that of the Church Commissioners. There must be funds to create and organize that new ecclesiastical world to which the right hon. Gentleman looks as the means of accomplishing his purpose.

So much for the general result upon the condition of the Irish Protestant Church; but I wish now to place before the House the general result of the whole scheme of confiscation. And what is it? It is the old story. Assuming—which I will do for the sake of argument—that the good sense and good temper of the House will modify all the arrangements about Maynooth, will take care that justice, ample justice, shall be done to that institution, but at the same time no injustice done to the Protestant Church, and that the engagements of the Ministry shall be completely fulfilled in that respect—assuming that to be the case, what do I see in this Bill? Why, that the whole property of the Church of Ireland, generally speaking, will go to the landlords. Well, the landlords of Ireland have had a slice of that property before. For thirty years they have had £100,000 a year. They have probably had £3,000,000 of that property, and what good has it done them? Is the state of Ireland more tranquil and serene, or have they better preserved the institutions to which they were devoted, because they for a moment accepted any share of that plunder? Why, we all know that nothing of the kind has followed. And what is it that is now proposed? Why, a scheme which, when we come to investigate it, clearly shows that the whole of the tithe rent-charge is to be absorbed in the land. The right hon. Gentleman says that every landowner may buy up the tithe rent-charge on his land, when his tithe rent-charge will be instantly absorbed in his land; and then if the landowner will not buy the tithe rent-charge the right hon. Gentleman makes out a compulsory account by which the landowner shall seem to buy it. But the result is that the whole of the tithe rent-charge will be immediately absorbed in the land,

and that there will be a complicated system of pecuniary transactions extending over a period of forty-five years. Five-and-forty years' engagements of Irish landlords! And that, too, in a country which confiscates Church property—in a country where there is a land question looming in the future. Do you not think that the landlords will want justice done to the land? Do you not think they will come forward and say—"Well, if the land question must be settled, we will take a part in its settlement?" Depend upon it when the great rising occurs—when the great demand to which I have referred is made, and expounded by the eloquence and learning of the clergy of the three Churches—the Irish landlords will wonderfully sympathize with that new Act of Settlement. And when that demand is made, the right hon. Gentleman will have either to accede to it, or he must take refuge in the alternative, which I will in a moment mention. Well, the tithe rent-charge is to be absorbed in the land, with engagements spreading over forty-five years. There have been engagements with the English Exchequer for shorter terms which were never fulfilled. And what is to be done with the surplus? The surplus is given to the maintenance of pauper lunatics and other purposes of that kind. Well, but there are pauper lunatics in other countries besides Ireland. I have been looking into the number of pauper lunatics in Ireland and in England; and although we are told, as a Cabinet secret, that there are idiots peculiar to Ireland, I do not find that the number of pauper lunatics in Ireland is greater, relatively to the amount of population, than in England, or that in Ireland they cost more in proportion than they do here. English county Members generally are able to speak on this point. In my own county of Buckingham we have built within a very few years a lunatic asylum upon a costly scale. We did it in deference to the commands of an Act of Parliament, and it has added considerably to our rates. It may have been a necessary and proper expenditure, but it was a very costly one. We have not yet fulfilled all our engagements in respect to it, and this has been one of those subjects which have occasioned considerable dissatisfaction among the great body of the population. No doubt the object is a proper one; but how can you justify yourself to your constituents who are grumbling about the county rates, especially supposing that you should have to pay £3,000 next quarter sessions, if they say, "We understand that the Prime Minister, who affects to be the friend of the land, so far as Ireland is concerned, is going to have pauper lunatics paid for out of the Church funds? Now, if the Irish Church is to be confiscated, and the funds applied in this way, why should not our pauper lunatics have the same sort of support?" Sir, whatever is given for the maintenance of pauper lunatics or any object of that kind, will go, or at least the great bulk of it will go, to the proprietors of the soil, whatever *hocus pocus* we may be told to the contrary. I entirely disapprove of that.

There is another subject to which at this hour I shall only very briefly advert. I will now assume that, notwithstanding the apparent impossibility of the Irish Church being induced to co-operate with the right hon. Gentleman, notwithstanding the unjust, and, as I think, preposterous arrangement which, if they did co-operate with him, they would assist in accomplishing—I will for the moment assume that this body will so co-operate with him, and will endeavour to carry out the purposes of this Bill; and therefore it is necessary to consider how the New Church Body is to be created. Consider the possibility of the thing. There are 700,000 Protestants scattered over Ireland. Sometimes they form a tolerably adequate portion of the population, but often a very sparse one. Although alarmed and aggrieved and smarting under what they consider intolerable injuries, and many of them under the influence of great fear, they are suddenly called upon by the Prime Minister of the country to accomplish that which would require all his ingenuity and all his statesmanlike power to achieve—namely, to create a new ecclesiastical power independent of the State which shall accomplish all those offices which the Church in union with the State, and with its admirable temper when assisted by the State, has found it extremely difficult to fulfil and agree about. And this is to be done in the course of a few months. The clergy and the laity—the plundered and perplexed clergy and laity—are to do that which would require constant Cabinet Councils, and even years of mature and experienced deliberation. Who are the clergy and laity of Ireland? How are you to call the voices of these 700,000 scattered people? We are often told about the case of the disendowment of the Church in Canada—an absurd instance to bring forward, as there is no analogy between the two cases. In Canada, indeed, you did say that the clergy and laity were to come to some decision on these important points, but then you defined the laity. In your Act you said that the laity should be represented, and you stated by what franchise the laity were to be elected. But nothing of the kind is proposed to be done now. No single step is taken to assist these men if they were willing to overcome the immense difficulties and obstacles which they must inevitably encounter. What is to be the result if they do not do that which no human being under such circumstances can do? Why the State is to seize upon the whole property of the Church thus violating the first duty of a trustee, and shaking confidence in the tenure of property of every kind in the country. The State is to take the whole property of the Church to itself, and to do what it likes with it, defying law and justice, and treating the claims of the Protestants of Ireland with the utmost contumely and contempt.

Now, Sir, this is to be the remedial policy for Ireland. You have been disturbed and distracted by a clergy not connected with the State, and therefore you are now to have three sets of clergy not connected with the State. You have complained over and over again that one of the great evils of Ireland was the want of a variety of classes. But here is an Act which destroys a class. You have told us, night after night, that the curse of Ireland was the want of resident proprietors, but here is legislation to do away with a great number of resident proprietors. The curse of Ireland, as every one knows, is its poverty, and here is an Act to confiscate property!

Sir, I said there was an alternative. When I ventured to express to the House the probable consequences of this scheme of the right hon. Gentleman, I stated to the House that they must contemplate the possibility of great and continued discontent in Ireland—that that discontent would be connected with the question of the tenure of land—that the clergy disendowed according to their own statements at different periods, but both of them agreeing that they had been disendowed, would become the natural and powerful mouthpieces of this general discontent; and that you would have to yield to the demands which the whole nation through its most powerful organs would advance, and with which demands I venture to say the Irish landlords would unite. Their claim would be for restoration. All classes would call upon you to restore the popular estate which you have confiscated, and, whatever difference of opinion might still subsist between different Churches all Churches would agree that Irish property was national property. I say, then, that you would have to consent to that restoration unless you took refuge in an alternative. I think the alternative would be this. I think you might resist what was called a restoration of their rights, and which would probably bring about a scene of universal tumult. Instead of complying with this demand you would say to them—"There shall be religious equality between the two countries. You disendowed clergy shall not have ground to complain of being treated differently from any clergy, and we will apply to the Church in England the same principles which we have applied to the Church in Ireland." That conclusion appears to me to be inevitable. I have no doubt that there are some Gentlemen who hear me who would not regret such a consummation. I am perfectly aware that there are Gentlemen sitting in this House who approve such a policy, and that they have in the country a party which likewise approves such a policy. But I do not approve such a policy, and I am sure, whatever may be the majority those Gentlemen have in this House, they will not grudge me the right of asserting the propriety of my opinion. Sir, I believe that that result will be inevitable. Indeed, it may be inferred from the language of the Prime Minister that he himself, though he may not now approve, still contemplates it. Now, I cannot believe that the disendowment of the Church of England could occur without very great disturbance. I am convinced that it might lead to consequences which those who have not given a very long consideration to the subject may think impossible or remote. I believe that these consequences would be near at hand. England cannot afford revolutions. England has had her revolutions. It is indeed because she had revolutions about 200 years ago, before other nations had their revolutions, that she gained her great start in wealth and empire. Now, Sir, what have we obtained by those revolutions? A period of nearly 200 years of great serenity and the secured stability of the State. I attribute these happy characteristics of our history to this circumstance, that in this interval we did solve two of the finest and profoundest political problems. We accomplished complete personal and, in time, complete political liberty, and combined them with order. We achieved complete religious liberty, and we united it with a national faith. These two immense exploits have won for this country regulated freedom and temperate religion, and these blessings we have I am bound to say, secured mainly by the action—sometimes the unconscious action—but entirely by the action of the two great political parties in the State. I have often, when I have had to consider the history of what are called "Whigs" and "Tories," been surprised that, after great national vicissitudes, and notwithstanding the enormous blunders and mistakes which confessedly both have made, and the occasional violence, not to say faction, of their conduct which our annals record, these two great parties should always re-appear. That fact proves that there must be something very deep in their roots, and that they must have touched the heart of the people. Speaking now, not as a partizan, I believe the Tory party, however it may at times have erred, has always been the friend of local government, and that the instinct of the nation made it feel that on local government political freedom depended. It has been the glorious privilege of the great Whig party to achieve religious liberty, because, by as wise an instinct, they felt that religious liberty must be based on the connection between civil authority and ecclesiastical influence. These have secured to us the advantages we enjoy. In this age we seem to have forgotten by what heroic efforts the great blessings of regulated freedom and temperate religion have been secured, and how much they have tended to the greatness and the glory of our common country. Custom has made this a strong and tradition has made it a wise nation. There are now highflying statesmen who make war on tradition and scorn custom. I, for one, will not take upon myself the responsibility of their courses. I have expressed fully, but freely, as our political life permits, my view of the policy of the right hon. Gentleman at the head of the Government. I believe the Bill he has introduced for the disestablishment and disendowment of the Church in Ireland to be a dangerous measure, and, what is more, a great mistake; and I leave its consideration with confidence to the prudence and patriotism of Parliament.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Disraeli.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. W. H. GREGORY said, that no one who had listened to the speech of the right hon. Gentleman could fail to have perceived that, to use the words of the Bishop of Down and Connor, quoted in *The Times* that morning, "the verdict of the country had cast its shadow over the path," and that continued resistance to the measure before them could have no other effect than to broaden and lengthen that shadow. There were many in the House who remembered the speech delivered by the right hon. Gentleman some twenty years ago, in which he denounced the Irish Establishment as one of the main grievances of Ireland. He had since characterized that speech as "heedless rhetoric;" but those who heard it would contrast the vigour and earnestness and conviction, when the right hon. Gentleman was before his time, with the laboured triviality of his present speech, when he knew well he was lagging behind the age. If he judged the right hon. Gentleman aright he would prefer that the verdict of posterity as to his sagacity as a statesman should be based on the "heedless rhetoric" of twenty-five years ago, rather than on the solemn convictions he had delivered that evening. Now, before joining issue with the right hon. Gentleman on other points, he (Mr. Gregory) was glad that there seemed one topic of agreement between them. The right hon. Gentleman spoke of the irritation of all three Churches in Ireland which would be caused by this measure. He hinted that he would be in favour of doing something to gratify all three Churches, and he would have been right in doing so. He (Mr. Gregory) was ready to admit that if he had full power of dealing with this Church question as he thought best, he would have dealt with it in a broader and simpler manner than the present plan. He had the same feeling about these ecclesiastical endowments which was entertained by Mr. O'Connell. He considered they should be strictly applied to the uses for which they were originally intended—namely, religious purposes. He did not go so far as to say that he had conscientious objections, or that he would raise the cry of sacrilege if they were applied to objects of general utility; but he was of opinion that, so far as Ireland was concerned, more satisfaction and less irritation would have arisen had these revenues been devoted to purposes strictly religious. In fact, he would have reversed the Preamble of the present Bill, and enacted "that the property of the Church of Ireland and the proceeds thereof should be held and applied for the maintenance of the different Churches and their ministry and for the teaching of religion." He should have done this by capitalizing the property of the Established Church and dividing it between each denomination strictly according to the ratio of numbers, leaving each to deal with their own share precisely as they pleased, but with this one provision—that a glebe house and a certain number of acres should be procured for the use of clergymen of every denomination wherever a congregation of a certain size existed. There was hardly a parish in Ireland which such a course would not have cheered and gratified and brightened. Those were the opinions he had always held; but it was one thing to see one's own way, and another thing to get others to view matters like oneself. He had not been in London five days after Parliament met when he saw, —as, of course, the Government had long foreseen—that it was impossible to deal with this question in this manner had they been even so disposed. They would have been opposed by the great bulk of the Scotch Members, by the Nonconformist English Members, and by many other hon. Gentlemen who sat near him, who were neither Scotchmen nor Nonconformists, but who would not tolerate the idea of a great scheme of re-distribution, or rather of re-endowment. The attitude of so many Presbyterians in the North of Ireland, to judge by the late meeting in Belfast, objecting to any allocation of the funds to religious purposes, must have confirmed the views of the Government; and the silence of the Roman Catholics as to their acquiescence in any scheme of re-distribution, which might give rise to the imputation that the hope of gain rather than the hope of justice and equality had influenced their action, was another strong argument against the feasibility of the plan preferred by him. But what would the Conservative party have done had such a proposal been made, even had it undoubtedly been the best for the future of the Protestant Church in Ireland? It was clear they would at once have linked their fortunes with the Gentlemen below the Gangway, and have overthrown the Bill. Was he not justified in saying this — that their zeal for the Protestant Church was but secondary in comparison with a political success? Did they not remember that memorable night last year when the hon. Member for Kirkcaldy (Mr. Aytoun) tacked on his provision for the disendowment of Maynooth to the Resolutions of the present Prime Minister. Now the Members opposite, the friends of establishment and endowment, must have known that, if a purely collegiate endowment like Maynooth should be introduced into a measure for ecclesiastical endowment, Trinity College, the pride and boast and bulwark of the Church of England in Ireland, must go also; yet how well he (Mr. Gregory) remembered the eager anxious faces of the supporters of the late Government,—their ill concealed triumph, in the hope that the Opposition Leader would refuse this provision. But they were disappointed. The right hon. Gentleman (Mr. Gladstone) accepted it. He kept his word—Maynooth was to be disendowed; but they had heard the ominous announcement that Trinity College was next to be overhauled. They who were Liberals rejoiced at this; but they had every reason to be indebted to the Conservative party for the absolute necessity they had forced upon the Government of immediate dealing with Trinity College. Thus it was clear that it was hopeless to think of any plan of re-distribution; and all that remained was to accept any plan that was based upon principles of equality, was immediate in its operation, and final. He (Mr. Gregory) had found these requisites in the present Bill, and he would give it his unremitting support. The right hon. Gentleman who had just spoken had asked, did they think this Bill would produce calm and contentment in Ireland? He (Mr. Gregory) would not affirm that it would; but he did affirm that without such a Bill it was impossible there could be calm or contentment. There were various disturbing causes still in Ireland—a strong feeling of nationality, which the Protestant clergy seemed all of a sudden to have taken up—disatisfaction about land and education; but he had invariably held that religious animosity, produced by religious ascendancy, had hitherto tainted and poisoned the whole atmosphere of Ireland. Everything in that island had been set awry by long-continued injustice, practised under the name and shield of religion. In the north they had the Presbyterian, Scotch in blood, character, and religion. In his own country he would have been a stout Liberal; but in Ireland he had been, until recently, a most rampant Tory. Religious animosity, and the pride of ascendancy, had done this. He (Mr. Gregory) used the words "until recently," for the presence at that moment of the hon. Members for Belfast, Carrickfergus, and Londonderry on the Benches near him showed that another spirit was evoked, and that the men of the north preferred the concord of their country to a miserable and mischievous ascendancy. Then let them turn to the other parts of Ireland. There they had the Irish Roman Catholic peasant, deeply and even passionately attached to those above him, if kindly treated—intensely aristocratic in feeling—Conservative by thought, habit, and tradition—yet they found him allied with those who professed the most advanced and unsettling doctrines. They found also, in many instances, the Roman Catholic clergy—members of the most conservative religion under the sun—forced, by the feeling of wrong, to sympathize with their flocks, and to fight under the same banners. Religious injustice has done all this. He (Mr. Gregory) had ever before him the words of a chorus in one of the Greek tragedies when he thought of the strange position of Ireland—"The fountains of the sacred rivers flow backward to their sources, for justice is not in the land." The right hon. Gentleman who had just sat down did not raise the "No Popery" cry on this occasion; but most of the Gentlemen around him had done nothing else this autumn. They had declared this act of justice was to subjugate Ireland to the Roman Catholics, who would never be content until they had obtained that ascendancy of which we were now divesting ourselves, and that even then they would never tolerate a Protestant Government. But were these observations founded on facts? Did they remember what occurred in Canada six years ago, when war was threatening with the United States? Did the Roman Catholic Prelates assume a sullen or even doubtful attitude towards their Protestant Monarch? No; they issued addresses, calling on their Roman Catholic flocks to be loyal to the flag of England—for that under no other form of government could they enjoy more thorough equality, justice, and protection. A friend of his—Mr. Ussher, a Protestant gentleman—a few years since visited Prussia, in order to see how they managed their religious matters there. He wrote a most interesting pamphlet called *The Church of Rome in its relations with Protestant Governments.* He described the perfect equality that prevailed in Prussia in the dealings of the State with all religious bodies, and he summed up—

> "We here see the Roman Catholic Church—far from being, as she is to us in Ireland, a source of weakness and frequent trouble—turned into an arm of strength for the State, and that not by being given any privileges or by being favoured more than other creeds, but by being simply placed on the same footing as others, suffering no disadvantages and enjoying no superiority."

Now, he asked, could anyone suppose that Prussia could have done the great things she had done, had she been a kingdom divided against herself? Did they think if her citizens had been murdering and shooting one another to the cry of "To hell with the Pope on the Spree," or to "Perdition to Martin Luther on the Rhine"—and they had recently read of such scenes in the most prosperous and enlightened Ireland—that she would have formed a united Germany, amalgamating Protestants and Catholics into one Fatherland? And yet national weakness and national discord is what Gentlemen opposite wished to foster and maintain. They conjured up every species and variety of fear, and yet they shut their eyes to the real and greatest fear of all—a distracted and divided State. Last year the Conservative Benches resounded with every imaginable prophecy of woe; but this year the attitude of those who were called the friends of the Church was absolutely extraordinary. Instead of recognizing the verdict of the country as inevitable, and providing for the coming change by wise and prudent counsels, they seemed to look to visionary schemes of resistance, and to some kind of angelic interposition in the House of Lords. At a meeting reported that morning in the north of Ireland, the cry of "No Surrender" was raised more definitely than ever, and a rev. Prelate who took the chair, and who recommended wise and prudent counsels, was shouted at as "Judas." Was that the way to save the Church? He confessed he dreaded the future of the Church, if she were allowed to drift hopelessly without compass and without pilot and without chart. That was the real danger. Their Church had been subjected to centuries of fostering, and, if he might so call it, to hot-house care. Now she had to be exposed to the rude winds of heaven, and to take her chance—she had to enter the race with other denominations on the voluntary principle, and though, like Hamlet, they were "fat and scant of breath," the Irish Protestants seemed determined not to undergo the necessary training. Yet let them take courage, and deal with their altered circumstances like men. If they would but work out the provisions of the Bill, there would be ample means for a fresh start. "But," said hon. Gentlemen opposite, "how can the few Protestants in Ireland support their Church?" Surely the wealthiest portion of the Irish community could support an adequate ministry. But no one who had visited America ought to have any feeling of despair. He must have seen in every young and poor community, in every town which sprang up as it were in a night, commodious edifices erected for God's worship, the ministers supported, and the services conducted with solemnity and decorum. It was the voluntary zeal and united efforts of these poor communities which built these numerous and handsome churches. He said "united efforts," for he remembered walking with a Roman Catholic gentleman in the town of Trois Rivieres, in Canada, where he was greatly struck by the appearance of the many and handsome churches. "This is the Protestant cathedral which we have just built," said his (Mr. Gregory's) companion. He (Mr. Gregory) was surprised, and said, "Which you built! Did you, although a Roman Catholic, contribute to a Protestant place of worship?" "Of course I did," said he, "and not only that, but our Roman Catholic Bishop was invited also to subscribe." "I cannot, of course," said the Bishop, "subscribe to an heretical Church, but I suppose you mean to put a spire on it?" "Of course," said the applicant. "Well," replied the Bishop, "that will be an ornament to the town, and I have much pleasure in subscribing my thirty dollars to its adornment." Such was the spirit on the other side of the Atlantic. He confessed that when he returned to Ireland, when he saw the offensive religious placards in the streets, reviling all that was held sacred and reverential by the great mass of Irishmen, when he read the fierce invectives in the Press against his fellow-Christians, and when he listened to the frantic denunciations in the pulpit, he felt he had got into an atmosphere where only theological salamanders could exist, and he welcomed the voluntary system or any system which would compel Irishmen to look after their own religion, and to leave their neighbours to their own worship and belief. The right hon. Gentleman (Mr. Disraeli) had occupied nearly an hour in his essay on the necessity and advantage of the connection of Church and State. He showed that such a system had every grace and merit, and that disconnection was fraught with every mischief. But who gave the first precedent for disestablishment and disendowment? Why, the Government of which the right hon. Gentleman was the main-spring. Did he not try his 'prentice hand on Jamaica? Well, he (Mr. Gregory) would not upbraid him for that; but he would bid him and his Friends around him to derive comfort and encouragement from this very act. He (Mr. Gregory) had recently cut out of *The Times* an account of what was going on in Jamaica, owing to the disestablishing and disendowing enactment of the Conservative Government. This account stated that though the Bishop was still in hope of Imperial assistance, yet that the Church was preparing for what must take place next year. That—

> "The measure in question had produced a revulsion in the Church; that it had suddenly sprung into life and become full of activity in its operations, and exhibited an amount of earnestness and vitality never known before."

Jamaica was thus indebted to the right hon. Gentleman, and the inference was that Ireland ere long might be similarly indebted to the right hon. Gentleman who sat opposite to him (Mr. Gladstone). Before sitting down, in addition to this crumb of comfort from Jamaica, let him give to hon. Members opposite some other encouragements from the past. Let them look at all the great successive measures of justice to Ireland which had passed, and the result of those measures. Let them begin with Catholic Emancipation. The country, according to the authority of the Duke of Wellington, was on the verge of civil war. That measure was passed, and there was at once a comparative calm. The Tithe Commutation Bill found the peasantry in a state of frenzy. It became an Act of Parliament, and there was instant peace; every single measure of justice, not excepting the Abolition of Ministers' Money, had brought with it its own blessing and reward, and yet every single one of these salutary Acts was accompanied with prophecies of ruin, and jeremiads and denunciations and invectives more lugubrious, more despairing, more menacing, than at present. Let those, then, who were swayed by the terrifying assurances of the right hon. Gentleman that the present measure was as "disastrous as foreign invasion," take comfort from the fact that the terrors which the right hon. Gentleman was often inspiring—and which no doubt he felt—were nothing more substantial than those uncomfortable dreams, the result of a disordered stomach, from which men awoke and felt very comfortable. The right hon. Gentleman had a special fondness for arousing terrors. Here was an example of one of these bugbears. In 1861 the right hon. Gentleman addressed a meeting at Aylesbury. After harrowing his listeners by narrating to them the designs of reckless men "in the most exalted place in the realm—in Parliament," against the Church and against religion, he proceeded to say—

> "How many Bills were introduced in the last Session of Parliament, all under different forms, having one sole end in view—to undermine the Church and the most precious privileges of Churchmen. Our mode of distributing charities is called in question, our cemeteries threatened with invasion, our adversaries aim at changing our marriage laws, at 'facilitating' our public worship, as they pretend, and of despoiling of its national character the sacred constitution of our Church."

And here came the bugbear—

> "As to church rates, my opinion is well known. I believe their complete abolition would be a terrible blow struck at the alliance between Church and State, and that under no possible or imaginable circumstance should such a concession be made."

And yet after all this he (Mr. Gregory) found the abolition of church rates passed last Session with the greatest equanimity; and he further found the noble Lord the Member for King's Lynn (Lord Stanley) congratulating his constituents before the late election that the church rate question was settled, "as it alienated more friends from the Establishment than the money was worth." Thus it turned out that the most terrible blow which could be struck at the alliance of Church and State, according to the opinion of one of the heads of the Conservative party, was a subject of positive congratulation on the part of another of its Leaders, as being an actual benefit to the Church. He had no fear of the overthrow of the Protestant religion in Ireland; he had no fear but that a moderate ecclesiastical system might be substituted for the present one, if instead of abandoning themselves to resentment, or standing there, "gazing idly up into Heaven," the heads of the Protestant Church would look their position in the face, and adapt themselves to the conditions which the Legislature was determined to impose. The Protestant laity would have to make sacrifices to support their Church, and, in making them, they would insist on the clergy availing themselves of the facilities for providing for the future which the Bill afforded. He thought the worst friends of Protestantism were the right hon. Gentleman and his followers, who counselled the Irish clergy not to avail themselves of the provisions of the Bill. Hints were thrown out that the House of Lords would reject it. He did not believe for a moment that such a suicidal course could be pursued by a body of prudent farseeing men; but this he did say, that if this Bill was thrown out, no matter on what pretext, they would see springing up in one hour, through the length and breadth of Ireland, a sullen feeling of wrath far deeper, far wider, than any that had prevailed in the wildest periods of agitation, and an impetus, the strength of which could not be measured, would be given to that conviction daily gaining ground, that justice from an English Parliament was a hopeless thing, and that it was from the great Republic of the West that "cometh their salvation." It depended on the great Liberal party to prevent such a catastrophe—it was by closing their ranks, by presenting an unbroken front, by sinking all minor differences of opinion. There were many differences of opinion. He (Mr. Gregory) might think that Maynooth ought never to have been inserted in this Bill—he might think that the compensation to Maynooth and the Presbyterians, as the payment came originally from the national income, should be defrayed from national resources and not out of these emoluments; but, on the other hand, there were other Gentlemen about him who held views very different from his, in fact, views absolutely, contradictory. He (Mr. Gregory) was ready to waive his opinions in deference to theirs for the sake of unanimity, and he in return expected similar deference from them. He was convinced that the supporters of the voluntary system would act in this cordial spirit when they considered what an enormous gain this Bill was to the principles they held, and of what vast importance it was to Ireland. If Catholic Emancipation was the foundation of religious equality in Ireland, this was the coping-stone of the edifice. He did not detract from the merits of those who passed Catholic Emancipation, they overcame the prejudices of years, and admitted their fellow-subjects to the privileges they possessed; but we were going further, we were divesting ourselves of the privileges and emoluments we possessed that our relations with our fellow-countrymen might no longer be tainted with the smallest savour of injustice. Her Majesty's Government might well affix to this Bill, when it became law, the inscription of Pope Sixtus V. on the completion of St. Peter's—

"Magnus bonos magni fundamina ponere templi,
Sed finem cæptis ponere, major honos."

In conclusion, he would say to those who were of the same religion as himself—let them be hopeful and not despairing; let them not confound the inner or the vital with the mere external condition of a Church; let them not take that to be essential which was but an accessory; let them not fix their gaze alone upon the gift which lay on the altar and avert their eyes from the altar which sanctified the gift. It is true they might lose the pride and pomp and wealth of a stately hierarchy; they might not have spiritual Peers of Parliament legislating exclusively for their particular form of belief, but they might have, if they only willed it, a power, a vitality, an active earnest co-operation among all their members such as they had never seen before. Their Church had never had a chance. It had ever borne along with it the *damnosa hæreditas* of injustice. They had been floundering and stumbling like the old pilgrim Greatheart in the Slough of Despond with a burden round their neck. That burden was injustice. They were now about to throw off that burden to reach *terra firma* and to stand erect an honest and a fair-dealing Church in the sight of God and of their fellow-countrymen. Let them think of all this. Let them recall the memorable words of Jeremy Taylor, words which he (Mr. Gregory) had recently quoted on the hustings, but which in this matter could not be quoted too often, words, the truth of which the conscience of every one who listened to him would recognize, words which every page of Irish history for the last 200 years confirmed, and they were these—"That a prosperous iniquity is the most unprofitable condition in the world."

Sir GEORGE JENKINSON said, he would not have risen at that moment to take part in this debate, but having put an Amendment on the Paper to the same purport as that which had been so ably moved by his right hon. Friend the Member for Buckinghamshire, he wished to take that early opportunity of rising to support the Motion that the Bill be read a second time that day six months. He craved the indulgence of the House while he attempted to argue the question on the broad general grounds of justice; for he should avoid, as much as possible, all technical details. When a great wrong was contemplated, in amelioration of, it was alleged, some greater wrong, it was only just and proper to consider what in reality the alleged wrong was. Before they inflicted a great wrong on any man, or any class of men, they should satisfy themselves that a greater wrong was being endured by some other man, or class of men, which could only be redressed by the infliction of the wrong they contemplated; in fact, that the greater good to be effected would counterbalance the lesser wrong to be inflicted. But even that view at the best was but a rule of the Jesuits—to do evil that good might ensue—and was contrary to all morality. But in the case before them where was the wrong? The Protestants did not in any way interfere with the Roman Catholics. The latter had their own clergy, their own churches, and their own endowments, all unmolested. As to the assertion sometimes made, that they paid tithes to the Protestant Church, that had now repeatedly been shown to be utterly groundless. He quoted the late Sir George Lewis in confirmation of that—

> "This grievance is commonly stated to be that the Roman Catholics are compelled to contribute by the payment of tithes to the support of a Church from the creed of which they differ. Now, in fact, the Roman Catholics, although they may pay the tithe, contribute nothing, inasmuch as in Ireland tithe is in the nature, not of a tax, but of a reserved rent, which never belonged either to the landlord or the tenant."

He contended that the remedy in this case was worse than the evil to be cured. This measure was most unjust in principle, and it was also erroneous in policy. The hon. Gentleman who last spoke laid great stress on the argument that if the Irish Church was robbed of its property there would be no lack of enthusiasts and good people to relieve her necessities and contribute to her wants; but surely it was small encouragement to the charitable to give again that endowment and those funds of which the present Government was now about to despoil her. That process—robbing the Church with a view to fresh funds being given to her—was simply a sheep-shearing process, which would probably lead to the same result at any future time, when the fresh crop was ready for shearing again. The hon. Member appeared to think that concession had always been followed by peace and contentment in Ireland; but he must be allowed altogether to deny the truth of that assertion. The state of Ireland did not justify it. Was this measure likely to produce peace? On the contrary, it would light up the flames of religious discord, which few of them might live to see extinguished. Instead of leading to peace it would lead to incessant turmoil and renewed discontent all over the country. If no material wrong existed, why should they for a sentimental grievance disturb the most solemn engagements of centuries, and substitute the supremacy of the Pope for the rule of our Queen in Ireland? It was in every sense entirely inexpedient to make such a change. They had heard a great deal of justice—equal justice to Ireland; but what the First Minister of the Crown called justice, he could only designate as injustice; what the right hon. Gentleman called charity to lunatics, he called spoliation and sheer confiscation. There was a paragraph in the Queen's Speech with reference to this subject, which he would take the liberty of quoting. It was as follows:—

> "I am persuaded that, in the prosecution of the work, you will bear a careful regard to every legitimate interest which it may involve, and that you will be governed by the constant aim to promote the welfare of religion through the principles of equal justice, to secure the action of the undivided feeling and opinion of Ireland on the side of loyalty and law, to efface the memory of former contentions, and to cherish the sympathies of an affectionate people."

Was it equal justice to take the tithe rent-charge and apply it to other purposes, and to leave the land still liable to maintain the Protestant churches and ministers? Was it so, to endow the Popish College of Maynooth with £400,000 of money robbed from the Protestant Church? How could it be said that the above conditions were carried out, when they proposed to pass a measure, repealing a vital clause of the Act of Union, and to commit an act stigmatized by the late Attorney General of Lord Palmerston's Government as a "mere act of confiscation," affecting the interest of a loyal class, comprising the owners of eight-ninths of the landed property of Ireland, while they left the Roman Catholics in full possession of all theirs? If they were bent on carrying out an act of disestablishment, at all events leave to the Protestant Church the property which was justly her own, by private endowment and otherwise, as much as the property of the Roman Catholic Church was hers. If property given by Parliament or Royal grant many years ago, and since much improved in value, was liable at any moment to be taken away, what became of the title of properties given for public services to the ancestors of some of their noblest titles? But, he asked, was it consistent with the words he had quoted to endow the Roman College of Maynooth with very nearly £400,000 taken from the Irish Church? Would that contribute to the contentment of Ireland. Could it be called equal justice to take the tithe rent-charge now allotted to a specific purpose and apply it to another purpose, partly the endowment of a Roman Catholic College? The hon. Gentleman had rightly interpreted the feelings of the Protestant landowners; and, therefore, although their land would still be liable to tithe rent-charge, they would still be willing to support their ministers as before. And in reference to this part of the subject they had heard to-night from the Prime Minister, in answer to a Question he (Sir George Jenkinson) had asked him in the earlier part of the evening, that in taking the income of the Irish Church at £700,000, they must not calculate it at that value, because part of that consisted of glebe houses and glebe land. But could a more weak or foolish argument be used? Were not glebe houses and glebe lands of money value to a poor clergyman who occupied them? Did not anyone acquainted with practical life know that if they paid any servant so much wages per week, and in addition gave him a house and garden free, it was so much additional wages. Therefore, what could be more weak or unreal than such an argument? His argument, therefore, remained untouched —that if they gave the Roman Catholic College of Maynooth fourteen years' purchase of the income now paid to that establishment out of the Imperial Consolidated Fund, and if they took that sum—£400,000—out of the funds of the Protestant Irish Church, they were bound in justice to give to the Protestant Church at least as much out of their own funds, which, taking their income at £700,000, and multiplying it by fourteen, would give them £9,800,000, instead of the £5,700,000 now offered by this iniquitous Bill. The Bill of the Government really proposed to repeal a vital clause of the Act of Union, the 5th clause of which provided for the perpetual unity of the Church of England and Ireland. The clause was as follows:—

> "That the Churches of England and Ireland, as now by law established, be united into One Protestant Episcopal Church, to be called The United Church of England and Ireland; and that the doctrine worship, discipline, and government of the said United Church shall be, and shall remain in full force for ever, as the same are now by law established for the Church of England: and that the continuance and preservation of the said United Church, as the Established Church of England and Ireland, shall be deemed and taken to be an essential and fundamental part of the Union; and that in like manner the doctrine, worship, discipline, and government of the Church of Scotland shall remain and be preserved as the same are now established by law, and by the Acts for the Union of the Two Kingdoms of England and Scotland."

It had been said that Parliament made the Union, and that therefore Parliament could break it. Perhaps so; but it could not break one vital clause of it, and cut it and carve it, and leave the rest. It must break all or keep all, like a lease or any other covenant; and not break part, and hold part to the advantage of one set and to the injury of another set of Her Majesty's Irish subjects. The whole Act of Union must be retained intact, or repealed. In furtherance of this view he would here quote the opinion of Lord Russell, for many years the trusted Leader of the party opposite—

> "In Ireland not only is there a vast proportion of the property, but also a vast proportion of members of the learned professions, and of others, whose importance cannot be denied, who are attached to the Protestant Church, and by whom anything that could be considered as at all tending to overturn the Established Church would be looked upon as placing them in a state of political inferiority to their fellow-countrymen. And besides that, we must recollect that the Act of Union made the Irish Church Establishment a part of the Church Establishment of England. From these considerations, Sir, I cannot but come to the conclusion that . . . . . any measure involving the destruction of that Church would involve a breach in the Act of Union; endanger-

ing the integrity of the Empire in the first place, and in the second place—considering how many years have elapsed since the Act of Union has passed into the law of the land—probably occasioning such a rent in the whole ecclesiastical constitution of these realms, that I think the Church of England would suffer deeply from such a measure."—[3 *Hansard*, xlii, 1178.]

He also referred to the opinion of Lord Plunket—

"I look upon the Protestant Establishment of Ireland as a fundamental principle of our Imperial Constitution; I take it to have been unalterably settled at the Union, and that to talk of changing the Protestant religion of Ireland without shaking the Protestant Establishment of the Empire is idle. I speak no new language, now that, for the first time, I have an opportunity of delivering my sentiments in the presence of the right reverend Bench. I utter but the opinions I have entertained and expressed in the other House of Parliament. I think a religious Establishment essential to our well-being, and that, without a dignified Establishment in times like these, religion itself would be degraded. I am, therefore, persuaded, not only that the Establishment is necessary, but that the rank, affluence, and dignity of the hierarchy is important to our best interests. I think, further, that its power and influence are, and ought to be, so great that, unless that hierarchy be connected with the State, it may be too powerful for the State, and hence the necessity of maintaining that connection for the benefit of the State. On these grounds, and not for any fanciful and theoretical reasons assigned by some writers upon this subject, I never for a moment would consent to anything which could endanger our Protestant Establishment. I further feel that the Protestant Establishment of Ireland is the very cement of the Union. I find it interwoven with all the essential relations and institutions of the two kingdoms; and I have no hesitation in admitting that, if it were destroyed, the very foundations of public security would be shaken, the connection between England and Ireland dissolved, and that the annihilation of private property must follow the ruin of the property of the Church."—[2 *Hansard*, xix. 1259-60.]

These men had earned the character of great Statesmen, and their opinion was entitled to great weight. He would next refer to the stringency of the Coronation Oath, and ask any man who read it to put his hand upon his heart and say whether Her Majesty, after taking such an Oath as that, ought to be asked to assent to such a measure as the present? He would read to them the words of that Oath—

"ARCHBISHOP: 'Will you, to the utmost of your power, maintain the Laws of God, the true profession of the Gospel, and the Protestant Reformed Religion established by Law? and will you maintain and preserve inviolably the Settlement of the United Church of England and Ireland, and the Doctrine, Worship, Discipline, and Government thereof, as by Law established within England and Ireland and the Territories thereunto belonging? and will you preserve unto the Bishops and Clergy of England and Ireland, and to the Churches there committed to their Charge, all such Rights and Privileges as by Law do or shall appertain to them, or any of them?'

"QUEEN: 'All this I promise to do.'

"Then the Queen arising out of her chair, supported as before, and assisted by the Lord Great Chamberlain, the Sword of State being carried before her, shall go to the Altar, and there being uncovered, make her solemn Oath in the sight of all the people, to observe the premises; laying her right hand upon the Holy Gospel in the Great Bible, which was before carried in the procession, and is now brought from the Altar by the Archbishop, and tendered to her as she kneels upon the steps, saying these words—

"'The things which I have here before promised, I will perform and keep; So help me, God!'

"Then the Queen kisseth the Book, and signeth the Oath."

He asked how could any loyal Minister go to Her Majesty, who had so sworn, and ask her to sign the Bill by which he proposed to disestablish that Church, and to rob it of the funds belonging to it—and to bestow part of them on the Roman Catholics? He asked again, what solemn pledge could be held sacred if that Oath was to be violated, and torn in pieces by any Act of Parliament? They talked of the repudiation of the United States, but what repudiation of their National Debt, or what breach of faith could equal or surpass the robbery and confiscation contemplated by this Bill? ["Oh!"] Hon. Members might cry "Oh!" but they could not alter the English language or the plain sense and meaning of words. How could any pledges be held sacred if these were allowed to be broken? There were two characters in the Old Testament—Ahab and Jezebel—of whom many evil things were said, but who only appeared to have lived a little before their time, when their proceedings were read by the light of the present day. They only wanted to buy a piece of land, but, unlike certain Ministers of the present time, they were ready to give any price the owner asked for it. But hon. Members opposite by sheer numbers and by confiscation proposed to take the property of the Church and refused to give that which the Church was entitled to receive for it. A measure of that kind would be such a blot and disgrace upon the so-called justice of England that he, for one, hoped it would never come to pass. They were told that in Ireland the great majority of the population were Roman Catholics and the great minority were Protestants. Leaving out of view that the Protestants owned eight-ninths of the property of Ireland, he contended, that in dealing with the Protestants of Ireland under the terms of the Act of Union, they had no right to reckon the numbers of the Protestants in the one country alone, any more than they ought to reckon the Protestants in any county of England only, and to take the property of the Roman Catholics in such county because they were in the minority there. But in dealing with an Imperial matter, affecting the Established Church of the whole United Kingdom, they should reckon the total number of Protestants and the total number of Roman Catholics for the whole kingdom, and if that were done the latter would be found to be in a minority of fully one to six. But that would not give the Protestants any title to rob the Roman Catholics of their churches and endowments. If they went to the argument of numbers there would be no lack of claimants, because the proportion of those who held property in various parts of England was numerically inferior to the number of those who had none. But such a plea would be the grossest form of Communism and Socialism. There were Noblemen whose ancestors had received gifts from the Crown for eminent public services; and if it were once laid down that what the Crown had given the Crown could take away, a principle would be established invalidating the security, not alone of property thus conferred as public rewards, but of all property held from Parliament or under the Crown. He opposed the policy of the present Bill, because it would revive the smouldering embers of religious discord, because it would alienate a large body of loyal men who were induced to acquire property and to reside in Ireland on the faith of the Act of Union, and because it would not effect the object aimed at—namely, the pacification of the country. It was asserted that with the disestablishment and disendowment of the Irish Church discords would cease. But all who knew the country were aware that the real bone of contention was the land; and even those who merely read the newspapers could not fail to perceive that the settlement, as it was called, of the Church question, would have no influence upon murders and agrarian crimes. The hon. Member read portions of the charges delivered by the Lord Chief Justice and Mr. Baron Deasy at the opening of the Assizes with regard to the large amount of crime undetected, and making special reference to cases, in one of which a farmer, taking a piece of land from which another had been evicted, had his house set on fire; in another case an armed party went to the house of a farmer and threatened to shoot him if he took a specified piece of land; and to a further case in which a letter was sent threatening a farmer if he did not give up a piece of land which he had held for seventeen years. None of these offenders were brought to justice, and the very nature of the outrages showed that they had no connection whatever with the Church. On this subject some memorable opinions had been expressed in the House in 1847. He well remembered the time, for he was quartered with his regiment in Longford, and was called up at three o'clock in the morning to go in aid of the civil power to the place where Major Mahon lay murdered. An hon. Member, speaking in the debate on the Crime and Outrage (Ireland) Bill in that year, said—

> "The reason why the law is carried into effect in England, is, because the feeling of the people is in favour of it, and every man is willing to become, and is in reality, a peace officer, in order to further the ends of justice. But in Ireland this state of things does not exist. The public sentiment in certain districts is depraved and thoroughly vitiated. . . We have in that country a condition of things not to be matched in any other civilized country on the face of the earth, and which is alike disgraceful to Ireland and to us. The great cause of Ireland's calamities is, that Ireland is idle. I believe it would be found, on inquiry, that the population of Ireland, as compared with that of England, do not work more than two days per week. Wherever a people are not industrious, and are not employed, there is the greatest danger of crime and outrage. Ireland is idle, and therefore she starves. Ireland starves, and therefore she rebels."—[3 *Hansard*, xcv. 982, 985.]

Those were the opinions of a Gentleman, then an hon. Member, but now holding high office on the Treasury Bench; they were the views expressed by the right hon. Gentleman the President of the Board of Trade. Considering the part which that right hon. Gentleman always took in Irish debates, the great scheme which he himself had propounded for breaking up the estates of the aristocracy in Ireland, and for selling them out in small parcels to persons who were not to pay for them—it was evident that words of such gravity as he had just quoted, falling from the right hon. Gentleman, were entitled to very great weight. The speech from beginning to end would well repay perusal by Members of the Liberal party, and yet there was not one word in it about the Irish Church. It was altogether a delusion to suppose that disestablishing the Irish Church, and robbing her of her revenues, would tend to pacificate that unhappy country. If the Irish people were really to reflect upon this matter they would view the proposals of the Government with some suspicion. The Whigs had been in power from 1846 to 1866, almost without a break, and what had they done for Ireland, especially during the last seven years, when they had a majority of 70? If the Irish Church had been the real cause of all the crime, and misery, and wretchedness in Ireland, how was it that the Liberal party through all those years had never once alluded to it? The right hon. Gentleman now at the head of the Government thought the question so remote in 1865 that he never expected to be called upon to deal with it. Now it was with him the question of the hour. In 1865 he held that in any dealing with the Irish Church the Act of Union must be recognized, and must have important consequences, especially with reference to the position of the hierarchy. He now proposed, without any compunction, to set at nought the Act of Union, and utterly to ignore the hierarchy. How could such inconsistencies be reconciled? What was the condition of Ireland when the Whigs left Office in 1866? After their long tenure of power what mark of favour did they leave to Ireland, or what mark of legislation to sooothe her wrongs and appease her discontent? Why, they left the Habeas Corpus suspended and the island full of Fenians in open rebellion. After the Fenians had murdered policemen in Ireland, a policeman in Manchester, and had blown up a prison in Clerkenwell, destroying harmless women and children, the task devolved upon the Conservative Government of arresting these turbulent spirits and sending them to prison. No sooner were the Liberals restored to power than they took the first opportunity of releasing forty-nine of these rebels. No doubt, by the time more policemen had been killed, more prisons blown up, and more helpless women and children injured, the Conservatives would be recalled to power to set matters right again. [*Laughter.*] Hon. Members might laugh, but it was no laughing matter for the ratepayers of the country, who had to bear the expenses—first, of capturing and prosecuting these Fenians, then of keeping them in prison, and, finally, of sending them to Australia—and, perhaps, though he trusted they would be spared that infliction, of bringing them home from Australia again. He trusted that the people of Ireland would remember the story of the introduction of the wooden horse filled with armed men into Troy, and recollect the words of warning which were uttered on that occasion by Laocoon—

> "Sic notus Ulysses?
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> . . . .
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> Aut aliquis latet error; equo ne credite, Teucri.
> Quicquid id est, timeo Danaos et dona ferentes."

They should not put their faith in the present occupants of the Treasury Bench; for the measures of which they boasted and which they were prepared to offer were such as to excite only religious discords and feuds, of which it would be absolutely impossible to foresee the result. And, in conclusion, if he might venture to address a few words of warning to the House, he would say, do not by their vote on this question light up the flame of a religious feud, the end of which neither they nor their children would see. Do not, by their vote now, brand the otherwise prosperous reign of our Protestant Queen and darken her page of history with the disfiguring record of the backsliding and abandonment of an integral part of her kingdom to the supremacy of the Pope of Rome. All the old Roman Catholic countries of Europe—France, Spain, and Italy—were even now struggling to free themselves from the thraldom of Papal rule. The teaching of all history showed that wherever such existed it was subversive of all good government and destructive of all civil and religious liberty. Was this, then, the moment for Protestant England to choose to relapse into the age of darkness and bigotry, inseparable from Papal supremacy, from which she emerged centuries ago at the expense of the best blood of her noblest sons. Party claims, he knew were strong, and he was the last man to ignore them. But they were not sent here for party purposes only.

There were sometimes claims and duties, higher even than those of mere party, and on this occasion the claims of their country, of their religion, of their Protestant fellow-subjects—he would add of their Protestant Queen,—ought to be paramount and to take precedence of all minor feelings. Think only of those higher claims, and be assured that by so doing they would in the end best serve the interests of their party and of their country. Bear in mind that Protestant England awaited their verdict with anxiety, and whatever that verdict might be—be it for weal or be it for woe—remember that their children would reap the fruits of it, and the page of history would record it in irrevocable lines.

Mr. BOWRING said, that it was perhaps scarcely necessary for him as a new and inexperienced Member to make any personal appeal for that kind and courteous consideration which he observed the House was always prepared to extend to those who addressed it for the first time; but if any special ground for such an appeal was required in his case, he would venture to base it upon the fact that he appeared there as a real political phenomenon—namely, as the first living specimen of a Liberal Member who had ever been sent to Parliament by the City of Exeter in modern times to assist by his vote a Liberal Colleague. That city had always been considered to be Protestant to the backbone, and until a recent period it had been the annual custom there, every 5th of November, to burn the effigy of the Pope in the Cathedral yard, to the sound of music and amidst universal popular rejoicing. But despite all its Protestant antecedents and all its Conservative sympathies he had been sent by the City of Exeter to that House, in conjunction with his hon. and learned Friend (Sir John Coleridge), to assist in doing a great act of justice to our Roman Catholic fellow-subjects in Ireland, and, incidentally and parenthetically, to assist in executing a great act of justice upon Her Majesty's late Advisers, which, however, they had anticipated by means of "the happy despatch." As an earnest member of the Church of England he had approached the consideration of this question of the Irish Church with a deep sense of responsibility, feeling that where political interests were inconsistent with religious interests, the former must give way to the latter, and nothing could induce him to be a party to any political act which he in his conscience believed to be likely to be injurious to the true interests of the religion which he professed. It was, therefore, with real satisfaction that he found that upon this question his innate sense of common justice and his ordinary political predilections went hand in hand with his religious convictions. The public had been informed the other day by a right hon. Baronet opposite, on a highly convivial occasion, that the present measure was one of spoliation, injustice, and irreligion. He, on his part, looked upon it as essentially one of redress, justice, and, above all, of religion. If any public act deserved the hard words he had quoted, with the accompaniment of cruelty and bloodshed, it was the Irish Reformation. He begged to protest against two assumptions invariably made by the supporters of the Irish Church. The first was that its disestablishment and disendowment were synonymous with its destruction and abolition. He was not aware that when, in a well-known Court, Sir James P. Wilde pronounced a decree of dissolution of marriage, he accompanied that decree by the physical act of knocking either husband or wife upon the head; and he, for one, supported the present measure because he believed that when placed in its proper position as a missionary Church it had a career of usefulness and prosperity before it such as its present supporters had no idea of. The other assumption which he objected to was that separation of Church and State in Ireland must necessarily and logically lead to a similar separation in this country. He did not see why, because it might suit him to walk in a westerly direction as far as Uxbridge, he was logically bound to continue his walk as far as the Land's End and fall over the cliff there. He approved of this step in the case of Ireland, not because he did not agree with the religious tenets of the Irish Church—not because its clergy were not of holy and exemplary lives, but because it was the Church of an insignificant minority and a standing insult to the vast majority; whereas, in England, this state of matters was entirely reversed. Since this question was before Parliament last Session the position of matters had been materially altered by two circumstances—the presentation of the Report of the Irish Church Commission and the General Election. As to that Report, all its recommendations were invalidated by the fatal flaw which appeared at its commencement, where the Commissioners stated that they—

> "Felt bound to proceed without reference to the Resolutions adopted by the House of Commons and upon the assumption that this branch of the United Church shall continue by law established and endowed."

In fact the Report merely amounted to a second edition, revised and enlarged, of the Church Temporalities Act of 1834. Nor did the Commissioners' suggestions offer the slightest chance of a settlement of this question. The internal re-distribution proposed by them would be absolutely valueless in the eyes of the population of Ireland, to whom the continued presence of one single established Bishop or even the ghost of a Bishop would be intolerable. He apprehended that the House of Lords would scarcely be likely to approve of the introduction of the principle of paid Members of that House, as recommended by the Commissioners—a proposal apparently emanating from the hon. Member for Leicester (Mr. Taylor) whose name, however, was not attached to the Report. Least of all was the plan of the Commissioners for disendowing 200 parishes containing a Church population of 4,359, and with revenues amounting to £37,000 a year, likely to give satisfaction. That large revenue was, at any rate, now spent in the neighbourhood where it was raised, whereas it would, if the Report were adopted, be henceforward sent up to a central office in Dublin and thence sent down again to some more thriving districts a hundred miles away, with which the places it was derived from had no sympathy or connection whatever. The very notion of thus disendowing parishes where there was a large Roman Catholic and only a small Church population was inconsistent with the favorite theory that the special mission of the Irish Church as an establishment was to be a missionary Church, and to propagate the doctrines of the Reformation in places where they were not now admitted. The whole scheme of the Commissioners would indeed abate the existing scandal but leave untouched the fundamental injustice of the present state of things. A few years ago its adoption might have been possible, but now, as in so many other cases, it was "too late." The only alternatives left to the country were, on the one hand, the endowment of all three Churches, called by hon. Gentlemen opposite, the "levelling-up policy"—and by a right hon. Gentleman on that (the Ministerial) side the "hot potato policy"—and on the other hand the solution proposed by the present Bill. The course pursued by the late Government and the decision of the country had rendered the latter alternative the only feasible one. With respect to the results of the General Election, he begged respectfully to differ from the opinion expressed by the right hon. Gentleman the Member for Buckinghamshire, the other night, to the effect that the decision merely meant that the right hon. Gentleman, now at the head of the Government, should be the person to deal with this question. He believed that the verdict of the country went much further, and that it was given in clear and unmistakable language in favour of the disestablishment and disendowment of the Irish Church. As to the statistics of the question, the great inferiority of the numbers of the Church population of Ireland would appear the more clearly if the country were divided into two unequal halves by a line drawn from Sligo Bay on the North-west to Wicklow on the South-east. It would then be seen that of the 690,000 Churchmen, 530,000 were in the smaller half—including nearly 50,000 in the City of Dublin alone—and only 160,000 in the larger half compared with 2,700,000 Roman Catholics, being only 5½ per cent of the whole. Nearly half the total Church population was in four dioceses—Armagh, Clogher, Connor, and Dublin—out of the thirty-two into which Ireland was divided. The percentage of Churchmen to the population had actually decreased in nine dioceses since 1834, and was far less now in the whole country than it was 200 years ago. But the statistics of the City of Dublin itself were especially striking. That City was the seat of a Protestant Viceregal Court; it possessed a great Protestant Defence Association, which kept up the glow of Protestantism in the Irish breast by means of the Kentish fire; it faced full upon Protestant England, and was almost within reach of the Protestant breezes wafted westward from the hills of North Warwickshire. Yet it appeared that in

Dublin the number of members of the Established Church, which had been 61,833 in 1834, or 26 per cent of the population, had fallen off in 1861 to 49,116, or only 19¼ per cent; whilst the Roman Catholic population had increased from 174,957, or 72½ per cent, to 196,495, or 77 per cent. He could not better express the causes of the failure of the State-Church system than in the following words which had been placed in his hands:—

> "If the great design of its existence be to convert a nation of Roman Catholics into a nation of Protestants it has lamentably failed. After the centuries, during which it has enjoyed all these supposed advantages, the Irish Church is in as decided and as hopeless a minority to-day as when it first commenced its work. In no country of Europe has the Roman Catholic priest more absolute sway, in none is the faith which he inculcates held with a more passionate devotion. When the Irishman leaves his native country, and is freed from the influence of its surroundings, his loyalty to his Church is often shaken; but in his own land his feelings are so irritated by the signs of Protestant ascendancy, that Protestant appeals lose all their power. With all the warmth of a generous nature he clings to a Church whose sufferings have endeared it to his heart; with all the fervour of patriotism he hates its rival, which he regards as the enemy alike of his race and of his creed. Protestantism is to him the synonym for Saxon oppression, and thus its ministers, however distinguished for personal excellence, fail to exert upon him any favourable influence. Instead, therefore, of advancing, the State-Church has hindered the progress of Protestantism."

He commended to the attention of the Irish Bishops and clergy the noble words used by the Bishop of Aberdeen, who spoke as follows in his pastoral charge of last Autumn:—

> "It does not require any great sagacity to predict that this kingdom and this Church are on the eve of great changes. In our position we who may be spared for a short time will be able to look quietly on, our Church having, centuries ago, passed through these very changes, which seem now to be imminent to the religious Establishments of this land. We have passed through the storm which swept away from us all our earthly things. But it could not affect the Divine authority of the Church, and during the quiet of succeeding years the Church has gradually been recovering from her depression, and now that we have survived our evil days, when I look around, I, for one, do not regret that our Church is free, and dependent upon the zeal and love of her faithful members. . . . . . Our increasing prosperity may be an encouragement to Churches who have to depend upon their divine constitution, in the promises of God, and the alms of the faithful, instead of the authority of the human law, and the favour of earthly Princes."

He rejoiced to see the language employed on this grave subject by that distinguished Prelate the Bishop of Down, and he believed that we should soon see many of the Irish clergy prepared to endorse the opinions of the Protestant Archdeacon of Tuam, who had just published a pamphlet, concluding with these words—

> "By observations like these, gathered in an experience of more than thirty years in the Church's ministry, I have been led to the conclusion that we, her members, for our own sake as well as for that of the whole nation, would do well to descend, of our own accord, from our privileged position, and to lay willingly on the altar of our country a portion of that wealth the abuse of which has been the just occasion of our Church's reproach, and the very use of which has been to her a source of weakness. How dignified, nay, how grand a position would her Bishops and her clergy occupy, were they seen approaching the Throne with the prayer that Her Majesty, with the co-operation of her Parliament, would restore peace to a distracted country, and a feeling of security to a threatened Empire, by placing all her subjects in Ireland on a footing of complete civil and religious equality!"

If he (Mr. Bowring) were a member of the Irish Church, and anxious to make the best possible terms for himself in a worldly point of view, he would far sooner trust to the provisions of the present Bill, than to the tender mercies of the hon. Gentlemen opposite. He remembered the story which was told of the famous Admiral Benbow, showing how, when he was a young man, he first attracted the attention of the world to his deeds of prowess. He was said to have once entered the port of Cadiz having in his possession a large bag, which he refused to allow the Custom House officers to open, saying that it contained provisions for his own consumption. They believed it to contain contraband articles, and to end the dispute he was brought before the magistrates. On the latter ordering him to open the bag, he quietly undid it, and forthwith there rolled out of it upon the table, before the eyes of the astonished magnates, thirteen well-salted heads of pirates whom he had slain in action, with fierce resolution inscribed upon the brow of each; and when the ghastly sight had filled the Spaniards with the needful degree of awe, he quietly replaced the heads in the bag from which they had fallen. Now if he (Mr. Bowring) were the member of the Irish Church he had spoken of, and if the present Bill were rejected and the present Government retired from Office and were succeeded by the hon. Gentlemen opposite, he should expect to witness a modern edition of this story of old Benbow. He pictured to himself some modern Benbow rising on the Treasury Bench, and producing from his official box and placing on the table of the House thirteen well-preserved heads of compromise on the subject of the Irish Church, with "Resolution" inscribed upon each, and bristling with safeguards in every direction; with a dual vote for Bishops in Convocation here, personal payment of tithes there—and so on; and then, when the sight of these thirteen Resolutions had failed to inspire the House with proper awe—and in that respect the parallel failed—he should expect to see the gallant Admiral in charge of the vessel of the State quietly put them back in the official box, and—after two or three Cabinet Ministers had resigned, and a whole Sunday had been spent in investigating the statistics of the question—re-place them by a Bill for the abolition of the Irish Church pure and simple, with no safeguard, compromise, or compensation whatever. He (Mr. Bowring) unfeignedly rejoiced that the first vote of importance which it would be his privilege to give in that House would be a vote in favour of social progress and of religious equality; a vote in accordance with the solemn verdict which had lately been returned by the vast majority of the people of these realms; a vote responsive to the appeal for justice now being imploringly addressed to them by 4,500,000 of their fellow-subjects in the sister Isle; and lastly, and most of all, a vote in direct furtherance of the best and truest interests of that Divine religion which bade them do unto others as they would others should do unto them.

MR. BRODRICK said, he should have been contented to give a silent vote against the second reading of the Bill, were it not that the question it involved was regarded with the deepest interest by the large constituency he had the honour of representing. He believed they had arrived at a stage of that discussion when they were acquainted with the main facts and the leading bearings of the question. The First Minister of the Crown, in submitting his measure to the House, dwelt with becoming gravity on the momentous issue which was proposed for their decision, and on the importance of the results which might flow from it. Hon. Gentlemen opposite must admit that they could justify the measure they were now asked to read a second time upon three considerations only—namely, first, that in their view the situation of Ireland at the present time was such as called for what had been termed "heroic remedies"; secondly, that the heroic remedy peculiarly called for by the situation of that country was the disendowment and the disestablishment of the Irish Church; and thirdly, that the scheme proposed by the Bill of the right hon. Gentleman was the most fitting mode in which the disestablishment of the Irish Church could be carried into effect. Now, he was prepared to join issue with hon. Gentlemen opposite on every one of those points. He denied the accuracy of their premises, and, even if their premises were correct, he denied the soundness of the conclusion which was drawn from them. He would deal with the arguments in the order in which he had stated them. In the first place, he was prepared to contend that the state of Ireland at the present moment—although it was far from being all they could desire—was also very far from being one in which she stood in need of "heroic remedies." That was a point on which he was ready to acknowledge that it was not enough for any man to state the results of his individual experience; but he was fortunately able to appeal to documents of public interest and which admitted of public verification. He took the Returns of the Poor Law Commissioners for 1867-8—the last year for which they had been laid upon the table—and from them he found that the condition of the labouring class in Ireland had never at any other period been so prosperous. The Irish labourers were at present better housed, better fed, better clothed, and they were incomparably better paid than they had been twenty or even ten years ago. There was a total absence among them of those wasting diseases which at one time were wont to devastate the country at short intervals of time—small-pox had almost entirely disappeared from among them, and cholera and dysentery were much less fatal than they were in former years. Under these circumstances it could scarcely be disputed that the condition of the working classes had greatly mended. Then as regarded the tenant-farmers, it appeared that they paid their rents with a regularity and cheerfulness which had formerly been unknown. The deposits in the banks, which consisted for the most part of the savings of the agricultural classes, had never been larger than they were at the present moment, and there could not be a better proof than that of the general prosperity of the country. He next came to the state of the commercial classes, and in reference to that subject he had been informed that in all the larger departments of commerce there was nothing which could be said to approach to stagnation. He was aware that in the smaller towns there had been considerable depression in trade in consequences of circumstances to which he would afterwards advert. But although Ireland was still at least fifty years behind this country, they must not draw a hasty conclusion from that circumstance. They must not look at what she might be but at what she had been; and he said there were evident signs of improvement among every portion of her population. Then he came to the next point. If Ireland did not stand in need of "heroic remedies" at the present moment; if, as he believed, she merely required rest to become the country she might be—rest from political agitation; rest from being made the stalking-horse of parties; rest from being used as the lever—he employed the phrase in the sense in which it had been used by the right hon. Gentleman the President of the Board of Trade—by which right hon. and hon. Gentlemen were to be transferred from one side of the House to the other—what had she to gain by the present measure? What would Ireland gain by the disestablishment and disendowment of the Irish Church? Who had asked for such a remedy? People might suppose from the language of some Gentlemen that Ireland had at one time been happy, contented, and prosperous. They seemed to forget that three centuries and-a-half elapsed between the time of Henry II. and the Reformation. If Gentlemen wanted information on the subject let them refer to the pages in which the late Mr. Hallam, the Tacitus of our day, amused us, with his usual historical impartiality, and with more than his usual terse felicity of language; that sad history of wrong, outrage, and robbery, and this at a time when the Reformed Church of Ireland had not come into existence. He might be told that there was another cause why they should resort to these "heroic remedies," and that was Fenianism. He had possessed as close an opportunity of making acquaintance with Fenianism as any man in that House except the hon. Member for Cork (Mr. Maguire), and he would challenge any hon. Gentlemen on the other side to point out any proclamation, manifesto, or circular, issued by the Fenians, which made a single mention of the Irish Church. The object of these wretched and misguided men was not to pull down the Church, but to obtain possession of the land. But the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), had told the House what the Prime Minister had not—namely, that the land question must be dealt with, and if they dealt with that the question of the Irish Church might be set aside or postponed to the Greek Kalends. Then as to the scheme proposed by the right hon. Gentleman as a panacea for all the wrongs and miseries of Ireland, the scheme now before the House differed very widely from the scheme propounded by the right hon. Gentleman when he was "starring" it in Lancashire, not merely on the points to which the right hon. Gentleman the Member for Buckinghamshire had adverted, but there were other promises made to the ear which he (Mr. Brodrick) feared would not be realized. One promise that the right hon. Gentleman opposite made was that three-fifths of the property of the Church should be preserved to it. Perhaps it would not be generous to press that point further, because he understood the right hon. Gentleman to admit that all his original figures and calculations were fallacious, and he had to begin afresh. There was one point, however, on which he was perfectly explicit, and that was with respect to the glebes and glebe houses, which he stated it would be unfair to take from the Church. Now, speaking of the South of Ireland, which he was best acquainted with, he could say that the glebes consisted only of a few acres close to the house, with a gravel walk around them, and planted with a few trees. And yet, so far from these being left to the Church, they were to be sold to it only at twelve years' purchase, and any debt which remained upon the house must be taken upon their shoulders by those who wished to possess it. Was that fair or just? It would be utterly impossible in Ireland to let them for any thing approaching their value. The only thing that rendered them valuable had been the generosity of the incumbents, who, from time to time, had spent their money upon them; in many cases having built the house; in many more, perhaps in all, having contributed to its embellishment and to the improvement of the land which surrounded it. But all that was now to be taken from them, or they were to be compelled to buy it at twelve years' purchase. Again, the House had been told that none of the surplus was to be devoted to religious purposes of any kind. Now, he wished to call special attention to the 59th clause, which proposed that the surplus should be devoted to the care of lunatics and other afflicted classes. But hon. Gentlemen opposite knew perfectly well that the clause as it stood would simply hand over the money to the monastic and conventual establishments in Ireland, for they would at once undertake the prescribed duties. Then, there was no provision for inspection, nothing to prevent the institutions becoming denominational, none for Government control—so that £500,000, £600,000, or £800,000 would go into the hands of the convents and monasteries in Ireland. How was it proposed to "gild the pill," so as to make it palatable? The proposal spoke wonderfully for the right hon. Gentleman's accurate knowledge of human nature, for it went on the principle of "making things pleasant all round," as the phrase was understood in the railway world. There were five classes, each of which was offered a gigantic bribe—the landowners, the tenants, the clergy—using the word in its largest signification—the Roman Catholics, and the Presbyterians. The landowners were bribed by the remission of the tithe; for, as to the purchase of the tithe rent-charge at twenty-two and a-half years' valuation, they all knew in Ireland that would be simple moonshine. There were but few small landowners in Ireland who lived with prudence enough to make it possible for them to purchase the tithe-rent-charge, and if it were they might buy it at a much lower rate in the Incumbered Estates Court. Then, as to the large landowners, most of their property was settled in strict entail, and the tithe rent-charge could not be bought without a heavy mortgage. He knew several estates on which the charge borne was as large as from £1,000 to £2,000, and there were very few owners who would be prepared to raise a capital sum of £40,000 or £50,000 to make the purchase. The result would be that the alternative would be accepted, and that at the end of forty-five years the tithe would expire by the process which the right hon. Gentleman described. Then, the tenants were to be offered the bribe of the county cess. That would be regarded as a concession, no doubt. In the part of Ireland with which he was acquainted it amounted to about 3*d.* in the pound; but when the rent came next to be settled, whether it went upwards or downwards, the diminution on account of the county cess would be taken into consideration, and he was sorry to say that it, too, would find its way into the pocket of the landlord. Then there were the clergy, who were to receive a life provision which they might commute. But not one in ten would think of commuting it. They would prefer an Imperial guarantee during the term of their lives. If the provisions with regard to Maynooth and the Presbyterians had been extended to the Irish Church it would do much better. Money could be invested in Ireland at 4½ or 5 per cent, and the result of the present proposals would be that the Roman Catholics and the Presbyterians would, at the rate of fourteen years' purchase, be in possession of a capital sum amounting probably to about seven-tenths of what the grant was now. But with respect to the clergy, if they should commute they could not expect anything like fourteen years' purchase, and even that would be a very scant measure, because in Canada, where the same process had been carried out, they got sixteen years' purchase, and money there could be invested at 7 and 7½ per cent. The two other classes —the Presbyterians and the Roman Catholics—were dealt with on nearly the same footing. They would both receive a large capital sum, which they would be at liberty to administer in whatever way they thought proper, and they would retain something like seven-tenths of the income they now derived from the State, in addition to which the Roman Catholics had the prospect of obtaining, through the medium of their religious communities, the lion's share of whatever spoil might remain after the other parties had been satisfied. There was one class who were utterly lost sight of in the course of these arrangements—namely, the laity of the Established Church in Ireland. Every possible arrangement was made for the comfort of all other classes concerned; but the laity were to see their Church stripped naked and bare, and then sent forth into the world to eke out a miserable subsistence from voluntary charity. It was the fashion to say the Established Church in Ireland was composed of the wealthiest and most well-to-do part of the population. But what were the wealthiest and most well-to-do people in Ireland in comparison with the same classes in England? Professional incomes in Ireland were not one-half of what they were on this side of the water; the incomes derived from trade and commerce were probably not above one-third of those gained in England; and the money spent in every district, except perhaps in the immediate neighbourhood of the large towns, was probably not one-fifth of the sum spent in districts of the same area and size in England. He would test the results of that measure by the diocese with which he was best acquainted—namely, that of Cork, Cloyne, and Ross. What was the state of the western division of the county of Cork? In the eastern division of that county it was true there was a considerable sum for the maintenance of the Church in almost all the larger parishes, and that, in many cases, where the income was large he was afraid the congregation was small. But in the western division the case was quite different. There, in many instances, there existed a large Protestant population, with a considerable proportion of poor in each parish, while the endowments were now very insufficient. But what would those endowments be when the property of the Church was taken away? A great number of people there must then either be left without the means of spiritual instruction, or would have to be massed in centres so large, that to attend the services of the Church on Sunday they would have to travel ten, fifteen, and even twenty miles in some instances. There were but few resident gentry there, and it would be absolutely impossible to keep up public worship unless some endowment were provided. That was not all. Within the last six years £37,000 had been raised in that diocese by the efforts of influential laymen, and expended on the churches, glebe houses, and the restoration of the cathedral, on the faith that the services of the Church would be provided for out of the property from which for the last 300 years they had been sustained. But the endowments for maintaining those services were about to be taken away, and he said it was not common honesty to ignore the fact that that large sum had been contributed within six years by persons who could ill spare it, on the faith of those arrangements being continued, to which it was now sought to put a summary end. He would take another case. He could point to a parish which was formerly a union in the east of the same county. That union was divided, because it was found that one clergyman was in receipt of the tithes of more than one parish, and that the duties of those distinct parishes—three or four in number at one time, he believed—were, as might have been expected, inefficiently done. What followed? Two churches were built, each at a distance of about three miles from the mother church, partly by the Ecclesiastical Commissioners, and partly from local resources. He did not say that the congregations of either of those churches were large, but the churches afforded the means of grace to those who would otherwise have been practically without them; and that money had been raised, and those churches built, on the faith that the arrangements now in force would be continued. But they were going to undo, in that instance, everything that had been done within the last twenty-five years by the Ecclesiastical Commissioners with the sanction of the Government, and they would place that parish in a far worse position than it would have occupied if the change now proposed could have been contemplated as likely to happen. He would give one more illustration. The borough of Bandon Bridge—now, for the first time for thirty years, represented by a Gentleman on the opposite Benches—was composed of two parishes. The tithes of the larger parish of the two amounted to £600 a year in all. £300 of that sum was enjoyed by the parson, who had a population of about 1,750 Protestants, from 1,300 to 1,400 of whom belonged to the Established Church. That clergyman had no glebe house; he had two curates, and after paying the rent of a house to live in, and paying also his curates, his income from the parish amounted to the magnificent sum of £20 per annum. For upwards of 200 years he and his predecessors had done the duty of that parish, and the remaining £300 a year belonged to a lay impropriator, the rector, a nobleman well represented in that House, and well known in the country. He believed the hon. Member for Bandon (Mr. Shaw) owed his return mainly to the influence—he did not say the improper influence—of that Nobleman. At all events, his agent was one of the most active—he would not say the most unscrupulous — supporters of that hon. Member. But this he did say, that it was a shame and a scandal if the Church was to be deprived of her property in that parish, for which she had done duty for three centuries, and if the head of the house of Cavendish was to continue to receive his £300 a year as lay impropriator. He did not wish to put the matter in an offensive light, but that was a curious anomaly; and he could not see that the Duke of Devonshire had any better title to his moiety of the tithes than the poor parson who had done all the work. He had now to thank the House for allowing him to enter his earnest and heartfelt protest against a measure fraught, he believed, with infinite mischief to the future not only of Ireland but of the great Empire of which she formed a part. He said that the Bill before them, revealed as it was in all its naked deformity, was not a measure of conciliation, nor one of equitable compromise, but, as the hon. and learned Member for Richmond (Sir Roundell Palmer)—whose voice would, he hoped, be heard in that debate—called it, it was a measure of confiscation. He said, moreover, that confiscation was simply an euphemism for an act of monstrous wrong and robbery. The hon. Member for Bradford (Mr. Miall) had declared with something of prophetic vision that the right hon. Gentleman at the head of the Government was treading on the verge of a wide region of change. Wide, indeed! so wide that its limits were altogether beyond the reach of human ken. And now, in conclusion, he would remind the House that there were times and seasons in the history of most nations, as also in the lives of most individuals, when the fabled choice of Hercules was presented to them—when on the one side there lay the broad and easy downward path of political expediency, along which the merest tyro might run with ease, and when on the other side lay the steep and narrow track of duty and of principle, which it would tax all the energy and all the ability of the full-grown statesman to climb. But on the choice which was then made, on the question whether the good was chosen and the evil refused, was wont not unfrequently to turn the future of that nation or of that individual, as the case might be; and should a fatal mistake be made in that choice, repentance, when it came—as with time and reflection it was almost certain to do—would in all probability come only when it was too late.

Mr. DILLWYN said, the right hon. Gentleman who opened the debate (Mr. Disraeli) declared that it was not his intention to say anything personally offensive. He (Mr. Dillwyn) accepted that declaration, as he could bear witness to the courtesy with which the right hon. Gentleman had always conducted the debates in that House. But at the same time the right hon. Gentleman had that night used strong language when he characterized this Bill as one of sacrilegious spoliation. The hon. Gentleman who had just sat down called it a great "wrong and robbery." The right hon. Gentleman, however, favoured the House with his notion of the difference between confiscation and spoliation. As he (Mr. Dillwyn) had always been in favour of such a measure as this, he wished to deny the applicability of this language. He did not consider the measure to be an act of spoliation. He viewed the Established Church in Ireland as a standing wrong to the people of that country, and, being such, he thought the Government of this country only discharged a duty in endeavouring to remove it as soon as possible. He was aware that some Gentlemen took a view of the Church which would justify them in thinking that its disendowment would be an act of spoliation. Those who believed the Church to be a

Divine institution teaching infallible truth by means of an infallible priesthood, might well be of opinion that to interfere with its property would be spoliation and robbery. In his judgment, however, that was a superstitious view of the question, and would not bear examination. He could not agree with those who held that the Church in this country had never undergone a revolution, but that it was the Church of St. Augustine still. To him this seemed like special pleading; as, after the Reformation, the Church — having separated from the Roman Catholic Church — practically assumed the position of a new Church. ["No, no!"] Such, at all events, was the common sense view in which it was regarded by most of the people of this country. In Ireland especially the Church stood in this position; and was, in fact, a standing protest against the doctrine of the infallibility of Churches. ["Question, question!"] Well, he would put away the question of the infallibility or Divine origin of the Church. He looked upon it as a mere State institution—as a public property, of which the public had a right to resume the user when in the public interest it appeared necessary so to do. In all countries, whether the Government was constitutional, mixed, or republican, the supreme power of the State exercised the right of dealing with all sorts of property, whatever it might be, when it interfered with the interests of the community generally. Both private and corporate property had to subject itself to this power; and everybody in this country knew to what an extent the rights of private property were interfered with when railway companies, upon the plea of public necessity, required it. Whether that interference with private and corporate property was right or wrong, he was not going to argue; he only stated the fact; the power of the State in this respect was every day exemplified, and he could not understand why the exercise of that power should only be termed spoliation and robbery when applied to the Irish Church. The Government now proposed to deal with the Church in Ireland. He looked upon this Church in the light of a trust committed by the State to a certain body; and the State having subsequently ascertained that this trust had failed in its purpose—that instead of promoting peace and good-will amongst the people, it had produced the very opposite effects in Ireland—the State had a right to resume that trust, and to administer the property connected with it in a manner more in harmony with the wants and feelings of the people. The failure of the trust, he admitted, was not so much owing to any shortcomings on the part of the clergy as to the inherent vice of the institution which the present measure proposed to disestablish, and the right hon. Gentleman at the head of the Government had therefore dealt not only liberally, but munificently, with the interests of that clergy, and he (Mr. Dillwyn) rejoiced he had done so. In conclusion, he must say he should never give a vote with greater satisfaction than the one he intended to give in favour of the present measure.

Mr. W. SHAW said, he wished to make a few observations, as he felt he had been pointedly referred to by an hon. Gentleman on the Opposition Benches (Mr. Brodrick). He had listened with great gratification to the speech of the right hon. Gentleman who opened the debate that evening, and he confessed he had learned some things he had not been acquainted with before, and other things that enabled him to see what the result of the proposed change would be. He had been instructed upon one point in particular—namely, that they need not trouble themselves discussing the principle of the Bill, and that the sooner they entered into the consideration of its merits the better. He must enter a protest, however, against that style of oratory, which seemed unable to get on without the use of words of five syllables at least. He (Mr. Shaw) had not the slightest doubt, if he had Johnson's Dictionary before him, he should be able to hurl upon hon. Gentlemen words of equally "learned length," and such as would equally apply to the points under discussion. If the right hon. Gentleman could show him that the Bill of the Government dealt in any particular unjustly, or even that it failed in generosity in its dealing with those whom it affected, he would, without hesitation, vote with the opposite party, and against his own on this question. From the commencement of the controversy he had endeavoured to look at it as much as possible from the point of view of an Irish

Churchman. He said of an Irish rather than of an English Churchman; for, in point of fact, there did not seem to exist much sympathy between the English and the Irish Churches; indeed, he had lately seen some publication in which the Irish Church was spoken of as a kind of mongrel Puritanism. The Irish Churchman will also recollect that it was English Churchmen who had originally placed his Church in the false position she occupied for the aggrandizement and political purpose of their own party. Also one of the arguments now most frequently dwelt on was that this measure would imperil the existence of the English Church; so that it would strike the Irish Churchman that you are thinking much more of yourselves than of what is for the best interests of the Irish Church. Looking at the question practically, two proposals might be submitted to Parliament with a view to the settlement of the Irish Church difficulty. One was to carry out the recommendation of the Irish Church Commission, which would reduce that Establishment by one-half, and no doubt that could be done; but if they thus reduced the Establishment they must apply the surplus funds to some other object, for the misuse of property was desecration. Its proper use was consecration. His opinion was that Irish Churchmen ought without hesitation to reject the settlement proposed by the Irish Church Commission and accept that of the Government. He ventured to say that if any gentleman went over to Ireland, and met the thinking, intelligent members of the Church, excluding, of course, clergymen and ladies, he would find them ready to give their votes for the Bill before the House rather than of one founded upon the recommendation of the Commission. Now, see the position in which such a measure would leave the Church. Still all the vices of the present system, an object of dislike and jealousy to seven-eighths of the population, suspended between earth and heaven, and still exposed to the hostile attacks of political parties, what would this Bill enable the Church to do? Of course when it passed, as pass it would, the Church of Ireland would organize its governing body—that governing body would arrange with the incumbents and the Government to commute the life annuities for a fixed sum—they would deal with certain classes of clergymen whose services they could dispense with, such as the very old, the delicate, those who had independent means and were desirous of living elsewhere. Thus they could get rid of considerably more than half the ministers with much less than half the fund, and they would have left, the working clergymen of the Church and a large fund; and, by a moderate effort, supplementing the fund, they might keep it nearly intact; the only thing that would lessen it would be the providing retiring allowance for these clergymen in their old age. He was quite sure, and he spoke from extensive knowledge of Ireland, that the Church would be better officered, and its work much better done with less than half the number of its present ministers. An hon. Member had remarked, in the course of the debate, that by the action of this Bill the Church would be turned out into the cold. He had for a long time studied this question from a belief that this measure must sooner or later come upon the Irish Church, and he believed that Providence had been preparing it for this great event, and he rejoiced to say that no Church had made greater strides in organization and everything to fit her to take her position as a free Church, and her ministers among ministers were highly gifted and excellent men. He agreed with the right hon. Gentleman the Member for Buckinghamshire that the Maynooth and Presbyterian Grants should not be provided out of Church property, and if the right hon. Gentleman moved that the £1,100,000 should be placed on the Consolidated Fund he (Mr. Shaw) would support him. In passing a great measure of national conciliation such as this, he thought it was desirable to rise above considerations of bare justice and to act with something like generosity. He was, therefore, of opinion that both the Presbyterians and the Roman Catholics had some claims on the House. The Presbyterians were an industrious and an intelligent community, and it would not, in his opinion, be an unwise course to adopt to make some provision for assisting them in providing manses and places of worship in poor districts. The Roman Catholics of the South and West of Ireland were also an industrious as well as a religious people, and their clergymen devoted themselves zealously to the improvement of their flock. Their chapels were in many instances miserable buildings, and the residences of the priests but too frequently unfit for educated gentlemen to live in; so that it would be but right for the House to consent to make some provision in that direction as well as for the Presbyterians. It only remained for him to say he heartily supported the Bill.

Mr. CROSS said, that he had anxiously and honestly considered this question, and he had formed an opinion upon it irrespective of party feeling. He agreed with the right hon. Gentleman at the head of the Government, that a greater and more arduous task had never fallen upon a Government or that House than that immediately under consideration; but he was afraid that, lost in the greatness of the work they had undertaken as regards the Church, and absorbed in the details of their measure, they had been drawn away from what, after all, was the main object of the Government—namely, the pacification of Ireland. This Bill would certainly destroy the Church in Ireland, but it would not strengthen or improve Ireland. It was a powerful and ingenious instrument for destruction; but that was not the object which the House and the country had in view, they wished rather to render Ireland a happy, peaceful, and a contented country. This subject ought to have been accompanied with a broad outline of the policy of the Government towards Ireland, including the land and education questions. Now, he had endeavoured to look at the proposal of the Government as far as possible from an Irish point of view. The question must be considered in a generous spirit, with a view to discover what was, on the whole, the best for the country. The hon. Member for Cork (Mr. Maguire) in his well-known speech, had drawn a doleful picture of the state of Ireland. He painted it as a country in which a strong force of soldiers and policemen could hardly preserve order. The suspension of the Habeas Corpus Act had deprived the people of their liberties; trade and manufacture was declining; in all respects Ireland was declared to be going backwards. But what, on that occasion, was the first Irish grievance put forward by the hon. Member? Not the Church, but the land question. And when the hon. Member came to touch upon the ecclesiastical part of his subject, it soon appeared that the real grievance was not the existence of an establishment, but of a Protestant Establishment; not that there was a State Church, but that that was not a Roman Catholic State Church. In a word, it was not a grievance of the people of Ireland, but of the Church of Rome. He thought that, in undertaking to legislate for Ireland, the Government ought not to have confined itself to the question of the Church; the House was entitled to know also what, if any, was their policy with regard to the land. For his own part, he entirely differed from the melancholy view of the Member for Cork. He believed that Ireland was in a state not only of great but of rapid improvement. No fair estimate could be formed upon a short review of ten or fifteen years; the growth or decline of nations required a greater space in which to exhibit itself; but if they compared the state of Ireland at intervals of ten years for the last half-century, her material and moral improvement would be placed beyond all question. On the three vital points of national progress—wealth, education, and diminution of crime—Ireland was now infinitely better off than she was fifty years ago. She still required rest—to be let alone—remedial, but not violent legislation—time in which to recover her strength and energy; and he believed that no greater mischief could befal her than such a violent shock and disruption as would be produced by this Bill. One main cause of the evils under which she had suffered was that her population was greater than a mere agricultural country could maintain. It was a fallacy to suppose, with the President of the Board of Trade, that the division and subdivision of the land among the peasantry could cure this evil. The case of Belgium—which was sometimes quoted—offered no true parallel. In Belgium there were large manufacturing towns, which afforded a market for agricultural industry, and an outlet for the superfluous population of the rural districts. In Ireland were none of these things. If Ireland were well stocked with manufacturing towns the establishment of small holdings would be an efficient remedy for the ills which afflicted her; but she was not a manufacturing country, and small holdings would, therefore, help her but little. He believed, with Sir George Lewis, that if Ireland could be stretched out as a sheet of indiarubber the tenantry would be as happy as any in the world; as it was, the population had outgrown the producing power of the country, and want resulted. As Mr. Cobden had said, it had become England's duty to undo what she had been doing in her jealousy and fear of Ireland during the last two centuries. Ireland's commerce and manufactures had been systematically crippled by England, and the Archbishop of Cashel announced with perfect truth that the way to make Ireland prosperous was to develop her commerce and manufactures. In regard to the Irish Church, the Prime Minister had made four charges against her. First, he had described the parishioners in many of the livings as merely an official population; but at the worst that criticism could only apply to the 199 livings which the Commission proposed should lapse after the death of the present incumbents. Secondly, he denied that the grants to Maynooth and the Presbyterians were in any sense—as they had been termed by the Prime Minister—buttresses of the Church of England. The Maynooth Grant was bestowed before the Revolution to prevent the Irish sending their children to France for an education, and the *Regium Donum* was granted by Charles II. for secret service, and afterwards renewed by William III., not as a buttress to the Church of England but for political services rendered. Nor would he waste time by dealing with the third charge—namely, the waste of funds with which the Church had been charged, in the face of the reckless proposal to confiscate her possessions, and by the manipulations of the Bill to reduce £16,000,000 of property to £7,500,000. Fourthly, stress had been laid upon the Penal Laws which had so long oppressed Ireland, and it was sought to damage the Church by making her responsible for their origin; but the fact was that those laws were demanded equally by Conformists and Presbyterians; they were in accordance with the spirit of that age, and it was unfair that all the odium should now be thrown upon the Protestant Church. He did not consider that the Resolutions passed last Session were binding upon the present Parliament, and respecting them he would remind the House that the Fourth, which affected Maynooth and the *Regium Donum*, was added afterwards by the House, and was not introduced by the right hon. Gentleman—a fact which probably accounted for the different treatment in the Bill of those grants and the Church endowments. Again, the elections last year were not taken as the simple issue of the Irish Church, for more votes were influenced by the charge of excessive expenditure brought against the right hon. Gentleman (Mr. Disraeli) than by the Church policy of the Government. Therefore, notwithstanding the Resolutions of last year, and the elections, and the large Ministerial majority, he trusted that they would still approach this measure not in a party or sectarian, but in a large and generous spirit; and if they did so that measure would not, he was assured, become law, for he was convinced that the more the country understood it, the less it would like it. Two subjects, it seemed to him, had not been fully discussed in the House in connection with this matter, and those subjects were disestablishment and disendowment. ["Oh, oh!"] Yes, he maintained that they had never been discussed as abstract principles, traced to their source, and examined as to their consequences. He wanted to know whether the House was prepared to come to the conclusion, as an abstract principle, that religion should not be established in connection with the State? If the principle were not argued now the result would be that, when they came to argue it in a few years hence, they would be told—"You ought to have taken your stand upon this principle in the debates on the Irish Church." Should we have within the realm of England an Established Church or not? In the words of the right hon. Gentleman and of Sir Robert Peel, at Glasgow, in 1837, he was not prepared to wipe out the name of God from the statute book of England; he believed that every nation as a nation, like every family as a family, should be bound to have some national public acknowledgment of God. They found even in the American States, when they were first founded, that it was declared by statute that it was the duty of the nation as a nation openly to worship God. No one could deny that in discharging its natural duties a Government must go further than the protection of persons and property; and as the Vice President of the Council lately had shown the necessity of attending to the education of the people, so he held it equally necessary that the nation as a nation should acknowledge that which must be the foundation of all education —namely, religion. He, for one, was not prepared to set the example to the age of a departure from the national practice. What was there in Ireland to take it out of the general law? His answer was, nothing. If there was anything in Ireland which prevented the establishment of the English Church there, the only logical conclusion which could possibly be drawn from the arguments of the right hon. Gentleman was that they ought to establish the Roman Catholic religion. A great deal had been said about English interests; but he ventured to say that the only reason why the right hon. Gentleman did not follow his line of reasoning to a logical conclusion was because English interests would step in and would not allow the Roman Catholic Church to be established. Therefore, because he could not do that, the right hon. Gentleman came to the most illogical conclusion to sweep away every religion from the statute book. It had been well said that night that the Church was never put forward by the Irish as a grievance. No Fenians had made complaint of it, and they had not heard of a single clergyman who had been abused or shot at from end of Ireland to another. On the contrary, he believed that the Irish clergy from one end of the island to the other were the men in whom the greatest faith and confidence were reposed by the people. That was shown at the time of the famine; and he agreed with the Dean of Westminster that though by such legislation as was now proposed, the Church might become an aggressive or proselytizing sect, it would cease to be the one religious institution which had constantly fostered liberty of thought and action, and most steadily exerted a moderate and civilizing influence over the whole country. As to the question of disendowment, it was perfectly distinct from that of disestablishment. The property of the Church, as Dr. Arnold—no friend to the Establishment in Ireland —had said of it, was something saved from the scramble for the purposes of religion, and for his part, he was not there to assent under any circumstances, to the taking away of that property. He did not say that there was no difference between the property of a corporation and of a private individual; but he said that they had no right to take away the property of a Church and apply it to secular purposes. Then, too, we should remember that in the case of such a corporation as the Church of England the beneficiaries were not alone the clergymen or the corporation sole, but the vested interest lay in the whole Protestant people. If the Church were disestablished, she should be left in possession of the property which belonged to her, and he regarded the measure as lavish to everybody connected with the Church except those for whose benefit the Church existed. He had cited the case of America. In America, the statutes declared that the property, the churches, and the glebes belonging to the Church of England were to remain her property for ever in spite of disestablishment. Surely, in Ireland the same view of the case ought to be taken. He denied that this was a liberal measure to the Church of Ireland, and he denied that it was a final one. No measure would be final. He thought they had had enough of finality, when they found a Bishop of the Roman Catholic Church saying that he was not content with it, because it left too much in the hands of the Church of England. These were the words of Bishop Goss, of Liverpool, who said he hoped the measure would content the people of Ireland, but he would be very much surprised if it did, because he did not see how the Prime Minister could allow the Established Church to carry off all her private endowments, while he did not give back to the Roman Catholic Church the property that had come to her through private endowments. No measure would be final which 700,000 people believed to be a measure which treated them with gross injustice. He wished the House to consider what would be the position of the Irish Church if the measure passed in its present shape. The right hon. Gentleman spoke of three periods, during which the process of disendowment was to take place. What would be the position of the Church during the first period? There were 700,000 Churchmen scattered over Ireland, from one end to the other, and they were now told to do that which by law it was illegal to do—

to form a Convocation of some kind or other; and unless they could satisfy the Queen that they had formed a proper representative body the Government would have nothing to do with them, and all their churches would be taken away. It was not only unjust but positively cruel to tell people who had hitherto been forbidden by law to meet, and who had no experience in meeting, to tell them that they must meet within eighteen months, and that if they were not prepared within six months after to say what churches and what glebes and glebe lands they were prepared to take over, they would not get anything. And were there no dangers to be apprehended from within? Could there be any time more dangerous to call people together than when they were smarting under a sense of injustice? But he would come to the second period which the right hon. Gentleman had sketched out. The right hon. Gentleman undertook to provide for the life interests of clergymen. He supposed it would be admitted that a person who held a freehold office in Ireland was at present entitled to hold it without permission from any person; but if the Church representative body decided not to occupy a particular church, that church became vested in the Commissioners, subject to the life interest of the incumbent, who, according to the proposition of the Government, was not to receive his income unless he performed his duties in that church; so that, though he might be willing to officiate in some other part of Ireland for the same income, he was compelled to remain at a place where his services were but little required. Then they were told that the Church was to retain all the private endowments she had received since 1660. But why did the right hon. Gentleman stop there? It was a new thing to say that the older the tenure the worse was the title. And so with regard to the churches themselves, he wanted to know how much money had been spent in the repair and enlargement of the churches? Did money that was spent on the building of churches cease to be private endowments, though it would have remained private endowment if it had been lodged in the funds? It would be found that 203 new churches had been built in Ireland since 1833. He was aware that the Bill provided that if it could be proved a church was built by a private individual it was not to pass into the hands of a church body. But the churches were built for the most part not by private individuals, but by public subscriptions. Money had been given in this way to the extent of £642,000, exclusive of the £150,000 that had been spent on St. Patrick's Cathedral. Now, he asked, were these private endowments, or were they not? If they were, what right had the right hon. Gentleman to talk of giving them up to the Church, only because they were of no marketable value? There was another question. They were to have their churches, on condition that they would keep them in repair. He wanted to know whether the State would be entitled to come down upon the Church, and to say—"You are not keeping the fabrics in repair, and therefore we will resume them." Again, he wanted to know what title the State would give? They had now a prescription of 300 years; it was proposed to give them instead a Parliamentary title of the date of 1869. What security would that be, if the Roman Catholics were to set up a demand, as he believed they would set up a demand, for these churches? Then, with regard to the glebes and glebe houses? If hon. Gentlemen would refer to Swift's description of the Irish glebes and glebe houses in 1710, they would find that there was hardly anything then in Ireland worth the name. Everyone knew that vast sums of money had since been expended on these glebes, not only by public subscriptions, but by the holders of the livings themselves, who subscribed money out of their own scanty salaries for the good of the Church, and of those who were to come after them. Before sitting down, he must say one word about Maynooth and the *Regium Donum*. He wanted to know what had the Presbyterians done that they were to be deprived of the money which was so readily and cheerfully voted them by this House? Protestant ascendancy might offend the pride of the Roman Catholics, but there was no ascendancy connected with the Presbyterian Grant. They had done nothing to offend the religious pride of any denomination. What had they done that they should be deprived of the money voted by this House, and which they expended to such good purpose? Then came the matter of Maynooth. He could not make out that the money granted, £26,000 a year, was commuted in the same way as the money belonging to the Church. This £26,000 a year was taken at fourteen years' purchase. The grant to the Presbyterians of £45,000 was taken at such a rate that together they would have £1,100,000 as compensation. The property coming from tithes, land, and other sources, actually paid to the beneficed clergy, amounted to £395,000, and to the Bishops £74,000, making together £469,000. If that was commuted at the same rate as the commutation of the grants to the Roman Catholics and Presbyterians it would amount to far more than £4,000,000. Exclusive of all the glebes, land in occupation, and paying all the charges on property, it would amount to considerably over £6,000,000. Therefore they had not commuted the money paid to the Roman Catholics on the same terms as the money paid to the clergy of the Church. The Roman Catholics were to have the money, and might invest it, and do as they pleased with it. The Protestant clergy were not to have a farthing, except on the condition of performing their duties. He hoped, whatever might become of the Bill, that the Irish Church would never think of making terms with clergymen in order to induce them to give up a farthing out of their small pittance. It had been said—"We are not going to apply the money to other than Irish purposes." But it had been shown that the money was not going to be applied to Irish purposes, but to relieve the Imperial fund of the country. It was said—"We are not going to secularize the money;" but it appeared from statements which had been made public that the question had been discussed in the Cabinet whether the money might not be applied to Irish railway purposes; to the making of bridges or harbours; and, generally, for the relief of the ratepayers. It had been said—"We are not going to give this money to any religious body," but practically the whole management of the funds would, under the Bill, fall into the hands of the Roman Catholics. It was a very bold question, and the end of it could not be seen, as he could prove from the words of the right hon. Gentleman at the head of the Government. The right hon. Gentleman, in a speech which he made at Wigan, used an expression which ought to put the House on its guard with respect to the steps now being taken. Although it did not show the extent to which the Government were going, the direction was clearly pointed out. The right hon. Gentleman said—

> "It is clear the Church of Ireland offers to us indeed a great question, but even that question is but one of a group of questions. There is the Church of Ireland, there is the land of Ireland, there is the education of Ireland; there are many subjects, all of which depend upon one greater than them all; they are all so many branches from one trunk, and that trunk is the tree of what is called Protestant ascendancy. Gentlemen, I look, for one, to this Protestant people to put down Protestant ascendancy, which pretends to seek its objects by doing homage to religious truth, and instead of consecrating politics desecrates religion. It is upon that system that we are banded together to make war. It is still there like a tall tree of noxious growth, lifting its head to heaven, and darkening and poisoning the land so far as its shadow can extend."

He (Mr. Cross) asked whether that passage did not point out the direction in which the House was asked to go. First, there was the attack upon the Church of Ireland. But that was not all. There was the land of Ireland; there was the education of Ireland; and if that speech was read by the small light given to them in answer to questions which had been put from that (the Opposition) side of the House, although the Church simply was included in the Bill, there were the land and education questions looming in the distance. So far as regarded the land, the policy of the right hon. Gentleman was shadowed out in his speech as to the pre-emption of the tenant, and the trial of the experiment on a limited scale of the breaking up of large properties. There was also evidence of what was to be done regarding education in the suggestion which had been made respecting Trinity College. He would ask, was the House prepared to go on this downward course without having some policy shadowed out more fully as to the course which the Government intended to pursue? In that interesting book relating to Ireland, written by Mr. Trench, a conversation was related, in which it was intimated by one of the parties that the Church was what might be called a dominant Church, and that if they once get hold of the Church's lands the landlords' lands would follow. If it was intended to take that course, and make open war upon the Protestant inhabitants of Ireland by Act of Parliament, and in any shape or form get possession of the land by the means shadowed out by the right hon. Gentleman the President of the Board of Trade, by giving the tenants the right to purchase over the owners, there would be an end to peace in Ireland. If, on the other hand, they wished to show the people of Ireland that they wanted not only toleration but to live on terms of equality, desiring to live under the same laws, and that there should be some religion established in the realm—he did not say what that religion should be—he believed that the Roman Catholics themselves, and also the Presbyterians, would say that if there was to be any Church Establishment no Church could be established but one—and if it were to be left to the three Churches in Ireland which should be the Established Church, provided they might not choose their own, and provided they were prohibited from choosing their own, the majority would say, it was the English Church that should be established—that the Roman Catholics would not vote for the Presbyterians, and the Presbyterians would not vote for the Roman Catholics. If they went on treating Ireland with justice, in a free, generous spirit, they would rouse a warm feeling in the minds of the most generous people on the face of the earth, and make Ireland happy, and contented, and prosperous.

Mr. CHICHESTER FORTESCUE: I wish to congratulate the House upon the delivery of the two speeches to which we have just listened, and to thank the hon. Member for South-west Lancashire (Mr. Cross) for recalling the eloquent words of my right hon. Friend at the head of the Government, which faithfully express the policy of the Government and from which none of us mean to shrink ["Oh! Oh!"]—words I mean, like these—that while there are other great subjects of Irish legislation that have to be dealt with, we yet find one of those subjects before us with which it is our immediate duty to deal—a subject that forms a very large part of that whole, and which is a *sine quâ non* of all successful legislation for Ireland. Sir, I congratulate the House also on the speech delivered by the hon. Member for Bandon (Mr. Shaw); it was the honest and able expression of a sincere member of the Established Church in Ireland, who told the House his views of the work in which we are engaged, and gave them good reason to believe that that work will do no hurt to the real interests of that Church. But there was another speech which I confess I listened to with admiration, yet with regret—and that was the first speech we heard this evening. To me, I confess, it was a subject of regret to hear the great powers, the remarkable intellect of the right hon. Member for Buckinghamshire, used for the purpose of resisting the great measure which is before us. Remembering the antecedents of that right hon. Gentleman, and remembering the most remarkable speeches that he ever, in my judgment, delivered in his life some years ago, I think I may truly say that if we had not been undeceived by recent experience, we might have hoped that his powerful and naturally unprejudiced mind would be on our side on this occasion. But it was not to be; and although I confess he said nothing that I could trace definitely in support of the Irish Church, dealing in vague generalities and ingenious phrases, the right hon. Gentleman has been the Mover of the Amendment for the rejection of this measure. He has thrown in his weight as Leader of the party opposite, on the side of error and of wrong. I regret, without being surprised, that the right hon. Gentleman and his Friends and Supporters, many of whom I regard with the highest possible respect, should endeavour at this time of day to prolong the existence of a State Church in Ireland. I may safely say that the vast majority of thinking men, and even of unthinking men, in this country have made up their minds that the continued existence of a State Church in Ireland under the circumstances of that country is no longer possible. The marvel, indeed, is that it should have been possible so long. For years and generations it has been regarded by the leaders of opinion at home and abroad as an anomaly and a monstrosity scarcely to be paralleled. ["Oh!"]. Hon. Gentleman will not mistake me. I speak with strong respect for the Protestant and Episcopal Church to which I belong; but I speak of its connection with the State, and I say that for years and generations its existance in Ireland, under the circumstances of that country, has been condemned by all foreign nations, and denounced by almost all leaders of thought in this country, and has only been maintained so long as it has been, partly by the want of knowledge and of sympathy on the part of the people of this country, and partly, perhaps, by a certain inertness and acquiescence on the part of the majority in Ireland. I fear that some part of that want of thought and sympathy must in candour be attributed to the fact that in this case a great Protestant majority were dealing with the fortunes of fellow-countrymen in another island and professing a different creed. I say this in no invidious spirit, because, probably, if the case had been reversed the result would have been the same. But, I own, dealing with such subjects, I often heartily wish that we could get rid altogether of these denominational and religious names and phrases. We talk of the Roman Catholics of Ireland, but that is only another name for the great majority of the people of that country. If it were possible to get rid of these religious phrases and religious ideas, and to remember that the phrase is simply a convenient and habitual way of describing the great majority of the inhabitants of Ireland, it would tend, I think, greatly to the clearness of our ideas, and perhaps to the correctness of our policy. But, Sir, if the existence of the State Church in Ireland has been prolonged by a want of knowledge and sympathy in this country, I admit it has also been prolonged by a certain amount of acquiescence on the part of the majority of the people of Ireland; and that acquiescence is accounted for—it is the fruit and result of the unhappy history of that country. It has not been till of late years that the Roman Catholics, bowed down by a long series of repressive laws, bestirred themselves to insist on those terms and conditions which, if we were in their place, we should undoubtedly have insisted on—namely, absolute equality with their fellow-citizens. That Ireland has improved, and that the mass of the people especially have advanced in material prosperity, there can be no doubt. I rejoice to admit it. I attribute the fact to a perseverance of some length in that policy which we hope this Session we are about finally to crown. But a majority of the people are not satisfied with that increase in their material prosperity. It is true of nations as of individuals, that they "do not live by bread alone." None of us in this House ought to deny that a people's feelings of self-respect have demands which go beyond mere physical and material prosperity, and when they reach a certain stage of progress they make those demands heard. That stage has been reached by the great majority of the people of Ireland, and no stronger or happier proof of it can be given than the fact that they have made demands on their countrymen on this side of the Channel on the subject of religious equality which I am happy to say have been met by the responding voice of the great majority of the people of this country. Well, at last the time has come when it is necessary to deal with this great question. I need not tell the House that no internal reform of the State Church in Ireland would in the slightest degree meet the necessities of the case. I will not, therefore, waste time on the Report of the Church Commission. There is, no doubt, a large amount of useful information collected there for which we may be grateful to the able men who collected it; but as to the proposals of the Commission for the internal reform and re-distribution of the revenues of the Irish Church, I venture to say they will occupy very little of our attention. There are but two modes in which the great end we have in view could possibly be reached; one is the mode of general endowment, the other is the mode of general disendowment. Some eminent men still cling to the first of these two methods. I am not ashamed to say myself that at one time I thought the end might be so attained. But I venture confidently to say that I never treated that mode of proceeding except as a means to a great end—an end that must be attained one way or another, and an end which I never dreamt of sacrificing to the means. But by whatever road we may approach the end of religious equality it must be attained by the Parliament of this country; and as we drew nearer to the object in view, undoubtedly the difficulties in the way of a system of general endowment increased in magnitude, and had even grown into evident impossibilities. There was the difficulty of the distribution of this fund among the several denominations of Ireland. There was the aversion on the part of the Roman Catholics of Ireland to conditions that might be necessary to enforce in the case of large endowments being conferred upon their Church. There was, I was going to say, the hatred of a very large proportion of the people of Great Britain, and no insignificant number of the people of Ireland, of the idea of the creation of new endowments in any part of the United Kingdom, and there was the evident fact that, in spite of the threatened loss of their endowment, a great portion—the most active and intellectual portion—of the Presbyterian body in Ireland were opposed to such an idea. I do not know whether the House is aware of the fact; but it is a striking one, which happened in the Presbyterian Church last summer. The General Assembly of the Presbyterian body in Ireland met last year to discuss the question of general endowment or general disendowment, involving the loss of their own endowment. A resolution was proposed in that body which declared that general disendowment, including the loss of the *Regium Donum*, was to be preferred, and decidedly preferred, to the general endowment of all denominations in Ireland, including the Presbyrians. That resolution was put to the vote, and was only defeated by a small majority. Some of the most distinguished Presbyterian ministers voted in its favour, and since that discussion the opinion had gained ground that the disendowment policy of the Government was preferable to the other policy, although the latter implied the retention of the *Regium Donum*. We found no desire expressed by any portion of the public for a general endowment of all Churches. We found, on the contrary—and the fact is most significant—that the late Government, when they attempted in a tentative way to induce the House to entertain that subject, found it necessary to beat a speedy retreat. Theirs was a policy which I once heard described by my right hon. Friend the Chancellor of the Exchequer as a "hot potato policy," by which my right hon. Friend meant that they had taken up a very warm article which burnt their fingers, and which they dropped with the utmost possible celerity. Well then, Sir, we have plainly seen that there is but one road by which we can reach the end, the equality and justice we aim at—namely, entire disendowment in Ireland. We have entered confidently upon that road. We feel it to be the path of duty, and we hope to pursue it until we have attained the object we have in view. We have heard a great deal of confiscation, and of the sacrifice of religion as a consequence of the Government Bill. If I thought there was any truth in such an allegation I should be the last to support such a policy. But what does confiscation mean? Are we to be told that the State has lost the power and right of dealing with public endowments in Ireland?—the State which 300 years ago diverted these endowments to a use entirely different from that to which they were formerly applied. ["No, no!"] Why, the State imposed theological conditions upon the endowments of the Roman Catholic Church which limited them to a mere fraction of the population—conditions which had the effect of making these endowments absolutely useless to the great body of the people, and making them the monopoly of the few. So far from pleading guilty to the charge of confiscation, I should rather say that the change which diverted these endowments to the Church of a minority was an act of confiscation against Ireland, and that what we are about to do is an act of tardy and righteous restitution. Discarding ambiguous and misleading phrases, are we to be told that the Government of Ireland is to be less moral and religious than in times past, because, when we find a State Church existing under circumstances in which it ought never to have existed in Ireland we propose that it should exist no longer? The arguments of the right hon. Member for Buckinghamshire and the Member for South-west Lancashire are based upon the assumption that the State Church in Ireland is in a normal and natural condition. I am not opposed to State Churches on principle. I will only say that there is no institution in the world more absolutely dependent for its justification upon the circumstances of the case and upon the adhesion and sentiment of the people than a State Church. [*Laughter.*] Hon. Members opposite have forgotten the facts of the case of the Irish Church. They have forgotten the multitudes which lie outside her bounds and reject her ministrations. They have argued like those Whig patriots spoken of by Mr. Macaulay, who were so zealous for all the Whig doctrines of liberty as applied to the Protestants, but gave no thought to the claims—scarcely, indeed, to the existence—of the great mass of the Irish people. So much for the generalities of the case. I now come to the provisions of the Bill, and will briefly refer to a few of the more serious objections made to its principal provisions. In the first place I was surprised to hear the right hon. Gentleman the Member for Buckinghamshire offer the advice he did to the Protestant clergy of Ireland, because it appears to me that more mischievous and disastrous counsels could scarcely be given by the Leader of the Opposition to a great body of his fellow-countrymen. The advice which appeared to be offered by the right hon. Gentleman was that the Protestant clergy should take up the policy of mere resistance, should refuse to have anything to do with the Bill, and reject all ideas of co-operation with the Government. And the right hon. gentleman threatened the Government that if they did refuse to co-operate with them our measure would be a failure. A greater delusion it would be impossible to imagine. The only effect of following that advice would be that very grave and unhappy consequences would result to the Irish Church. The progress of the measure could be in no way defeated. All that Parliament would have to do would be to wait until the last life interest of the Irish clergy had fallen in, and then the end which the Government had in view would be obtained, but by means which the Government would not desire to see adopted, and under circumstances which they would earnestly deprecate. In connection with this subject the right hon. Gentleman has talked of the plan of commutation of life interests as if it were no benefit to the Established Church, and was, on the contrary, rather a slight and insult upon that body. I entirely dissent from that view of the matter. We have endeavoured to treat the Established Church on those principles of policy which have governed the construction of this Bill. If we were to take into account—as I know some persons desire we should do—the personal interest of the minister alone, without regard to the prosperity of the Church, we should be putting that Church in a worse position than any other religious denomination. We satisfied ourselves that it was not our duty to deal with individual dignitaries and clergymen, and that we should not do right in paying them off as if they were officers of some institution that was about to be suppressed, but that it would be proper to continue to impose upon them those conditions on which they now hold their offices and emoluments, and that they should continue to perform their duties. We did not consider the Irish Church as an institution to be superseded or to treat it as Henry VIII. treated the religious houses in his day, when he paid off the members and prevented the continuance of those institutions. We knew that the Church would continue to exist and prosper under the new system proposed by the Bill, and we thought it right to put no obstacle to the transition, and to avoid what might introduce dislocation into its ranks. And, therefore, we required continued service as a condition of receiving compensation from the State. And as to commutation, knowing that you cannot follow a lump sum of money in a man's pocket in the same way that you can supervise an annual income, we required that commutation should not be made without a body fairly representing the Church as a whole being a party to that commutation. The right hon. Gentleman and others who followed him then referred to the question of churches and of glebe houses. I will only say one word about the churches. The hon. Member for South-west Lancashire (Mr. Cross) was in error when he spoke of the churches of Ireland as if they had been mainly raised by private contributions. Of late years there has been a fair amount of private contributions, though not so much as might have been expected under happier circumstances; but the great bulk of the expenditure upon the churches of Ireland has been expenditure of a public character. Parliament has from time to time granted enormous sums of money, amounting, I believe, since the beginning of the century, to something considerably over £500,000. But we need not enter into that, because, by the general feeling and understanding of all parties, the churches, as we know, have been left to the Established Church. With respect to the glebe houses the case is peculiar. There is no doubt that the expenditure upon glebe houses has been one of a singular and complicated character. They also have had their share of public help, partly from Parliament; in some degree they have been supported out of private funds, but not to any very great extent. But considerably more than a moiety of the whole cost of glebe houses has been provided out of the profits of the respective benefices under the Church Building Act, and that fact has led to a controversy of rather a perplexing kind. Upon one side, the side of severity, it may be said that this was a matter which the incumbents were bound to carry out; that no incumbent had a right to the whole profits of his benefice, but that he was bound to provide himself with a residence, and that the Bishop had power to compel him to do so. On the other hand, it is said many of these houses would not have been raised by the incumbents under these Acts if they had any suspicion that what they considered the perpetual lease of the Church was about to terminate. I venture to think that between these two opposing views the Bill before us hits upon an arrangement which can hardly be considered harsh or unfair to any one. The House is aware that the building charge now lying upon the glebe and see houses of Ireland amounts to a very large sum, something like £230,000 or £240,000; and the arrangement is that where there is no building charge upon a glebe house no charge will be made, but that where the building charge does exist there the Church body will be required to re-imburse the State. The payments to be made will be limited to a moderate number of years' purchase of the very moderate value placed on these houses by the general valuation of Ireland, wherever the building charge exceeds that value. That seems to me, upon the whole, a fair arrangement, and one that has been certainly well considered. Another matter, which has been a good deal mixed up with this subject, is the question of glebe lands. And, in connection with this, I should like to explain more fully than was done by my right hon. Friend at the head of the Government the other day the intentions of the Government with respect to a system of loans applicable to all denominations in Ireland, but first to the Established Church itself, for the purpose of providing, where necessary, ecclesiastical residences and a limited quantity of land in connection with them. The quantity of land fixed in the Bill with respect to the Established Church in connection with each glebe house is ten acres, and that, of course, would be the governing amount with regard to loans to be named in the Bill on this subject, which I hope soon after Easter to place before the House. That also would be the amount fixed with regard to all other denominations. The state of the case is shortly this—Under the existing Public Works Act there is, at least in frame and principle, a very large power of lending money to religious denominations in Ireland upon personal security for purposes which are not specified, but which have generally been used, as far as they have been used, for building churches and chapels. The terms, however, were very onerous, re-payment being required within so short a time as five years, and therefore I need not say the offer has not been largely accepted. What we propose to do is very greatly to improve the terms on which such loans will be granted, and to offer them according to the principle of the last Land Improvement Act, the re-payments being spread over thirty-five years. We hope under that offer that all denominations in Ireland, including the Established Church itself, will be able to provide themselves, when necessary, with residences for their clergy, and a moderate amount of glebe land attached to them. That is a system to which Her Majesty's Government attaches very considerable importance. And for my own part, I venture to say that having been led for some time back to take a great interest in this matter by several Friends—among whom I would specially mention one, the hon. Member for the city of Cork (Mr. Murphy), who has written in a very useful and practical sense on this matter—I confess I entertain great hope that this will be found to be a matter of much larger significance and even greater utility than at first sight may appear, and that it will put the clergy of the other Churches in Ireland, both Roman Catholic and Presbyterian, on a far more respectable and desirable footing in respect of their residences than they are now. So much for glebe houses and lands. I now come to the question of Maynooth, on which the right hon. Member for Buckinghamshire has dealt at some length. I confess that when I turn from the vast sums of money which we are about to secure to the Established Church in Ireland—most rightly and justly I admit—

but still vast in amount, and when I look to the large amount of fixed property which we are about to leave with it — I mean the churches and glebe houses—and when I turn to the fourteen years' purchase of the Parliamentary Grant to Maynooth, which is the only point in which the Roman Catholic Church in Ireland has any thing whatever to say to the pecuniary provisions of this Bill, I cannot help feeling a certain painful feeling of disproportion between these amounts. I do not say we are doing wrong; we are creating no new inequality—this is merely the necessary result of those gigantic inequalities which have hitherto prevailed. But still it seems impossible for any fair mind to approach the consideration of the subject without the feeling I have described. We desire to deal with this great educational establishment of Maynooth in a fair and generous spirit. Her Majesty's Government are of opinion that the College of Maynooth is a very special case which deserves great consideration and care. It is a denominational College, but not denominational in any sense to which, I think, the most ardent advocate of united education could object; for it is a College for the education of the Roman Catholic clergy. It is a College which has received in very recent times the deliberate sanction of Parliament under the guidance of Sir Robert Peel. It is a College, I might add, which depends absolutely on the endowments furnished by the State; indeed, if it had not been for this, the Bill would have had no concern with it. If the College of Maynooth had been in any other country in the world it probably would have been in the enjoyment of ancient educational endowments, as Trinity College is at this moment, and this Bill would have had nothing to say to it, just as this Bill has nothing to say to Trinity College, Dublin. Then, we say—Let us deal fairly with this College. Let us remember the difficulties which beset the maintenance of a great centre of education of this kind as distinguished from those local and religious objects, the maintenance of the clergy, and so on, which are comparatively easy. With reference to the case of Trinity College, Dublin, I heartily desire to see within the limits of the endowments of Trinity College sufficient means permanently retained for the education of the clergy of the Anglican Church in Ireland. But if we are to urge to the utmost every argument which can be used for the purpose of cutting down to the last farthing the compensations we are about to make in winding up the affairs of Maynooth as a State Establishment, I do not see how we are to deal as we should wish to do with the Divinity portion of Trinity College, Dublin, without running the risk of exhibiting a very discreditable and unseemly contrast. This House has, we all know, shown considerable jealousy in relation to Maynooth. Under Sir Robert Peel's Act the expenditure for the buildings and repairs of Maynooth was not provided for out of the Consolidated Fund, but the Commissioners of Public Works were constituted by an express clause in the Bill Commissioners for this purpose. That was maintained for three or four years, and an annual grant of, I think, £1,250 was made by Parliament; but one evening a majority of the House refused to renew the grant. Since that time every Government has entertained a wholesome dread of coming into collision with the House on the subject, and has consequently never proposed a renewal of the grant. Maynooth has thus been thrown upon its own resources, and the College has been obliged to borrow the necessary funds from the Board of Works. We propose in this Bill to wipe off that debt and not to call upon Maynooth for re-payment. I venture to say that the whole history of this proceeding affords additional reason why the House should exhibit fairness and consideration in the case of Maynooth. Now, it has been said that these compensations to Maynooth and to the Presbyterian body for the deprivation of the *Regium Donum* ought to be paid out of the Consolidated Fund—out of the taxation of the country. No doubt there is a good deal to be said in support of that view, but, on the other hand, these great changes are to be made solely for the benefit of Ireland. Ireland will obtain the benefit, Ireland will pay the cost, and Ireland will enjoy the surplus. I think, therefore, that these compensations should be paid out of this fund, which we may fairly regard as the property of the Irish people. Now, Sir, there is one observation with reference to this surplus which was made by the hon. Member for South-west Lancashire (Mr. Cross) which I cannot pass by in silence. The hon.

Gentleman said that this surplus would find its way to the Roman Catholics. Well, Sir, I defy the hon. Gentleman to find any means by which you can confer any advantage or good upon the people of Ireland without a large portion of the money expended for that object finding its way to the Roman Catholics. In a country like Ireland, where the Roman Catholics are in so large a majority, if there is to be a fair and equal and useful application of the national property, a very large share must fall to the members of the Roman Catholic Church. Now, there is, I think, only one more point on which I need detain the House, and that is the question which has been touched upon so often to-night — the post-Reformation lands in Ulster, which it is said were given by Protestant Kings to the Protestant Church. Our answer is that they cannot be regarded in any other light than public property. They were either given by the Crown to support the national Church, as I assume the Anglican Church in Ireland was then expected to be, in which case the expectation has turned out to be a failure, or to support a colonial Church, in which case we deny the propriety of such a Church existing in Ulster. For this reason I say that we have no right to draw any distinction between these lands and any other property of the Church. Besides this, it will be evident to anyone who will look into the matter that these were not new grants, but the restoration to the Church of old property of the Roman Catholic Church in Ireland. I put it to the right hon. Gentleman opposite (Dr. Ball), who knows so much upon the subject, whether the so-called grants of the Ulster lands were not in fact restorations? When the Ulster Inquisitions or Commissions issued to ascertain the Church lands which had been gradually appropriated during the troubled times which had passed, are examined, it is found that the denominations of the land in these Inquisitions commonly correspond almost word for word with the so-called grants to the Church; and what we might otherwise imagine to be new grants turn out to be restorations. This matter is not essential to my argument; but it is not without its importance. I will detain the House no longer; but this, Sir, I must say for myself, that, as a member of the Protestant Episcopal Church in Ireland, yielding to no hon. Gentleman opposite in my desire for her prosperity, I rejoice to witness the time at which we have arrived. I rejoice to have lived to see this great measure brought forward. I rejoice to have been allowed, under the guidance of my right hon. Friend, to bear my share in its preparation. My feelings on this subject have been for many years the same. I can only describe them in this way. I have long felt the Irish Government to be what I may call a Provisional Government. I have long felt that there was something inevitable waiting in the background. We seemed to me to live upon palliatives and make-shifts. I feel now at last that the natural and normal history of Ireland is about to begin. It is true the Bill is sweeping and severe. It would be weakness and folly if it were anything else. It would be the cruelest kindness to the Established Church of Ireland itself if we left anything to be done hereafter—if we missed the great object of reconciliation which we have in view, and threw away the sacrifices which are inevitable in such a case as this. No, Sir, what we say is this—Let there be no Church question in Ireland any more!—no Church question to poison the national life, to set Irishman against Irishman, to turn kindly and liberal men into angry zealots, to give cause for Party Processions Acts, to spoil and pervert the relations between landlord and tenant, and to stifle the active feelings of loyalty in hundreds of thousands of Irishmen. Sir, that is the work we are engaged in. I have the strongest hope and confidence that it will be successful—not in a party sense—but for the permanent good and blessing of the country to which I belong, and I pray, as Lord Macaulay prayed, when terminating a dark page in the history of Ireland—That the future historian may have to tell that what had done the good work in Scotland did the same work in Ireland; and that, under the influence of wisdom, justice, and time, all the various races which inhabit these islands may at last be blended together in one indissoluble union.

Dr. BALL moved the adjournment of the debate.

Debate adjourned till *To-morrow.*

GRAND JURY CESS (IRELAND) BILL.

On Motion of Mr. Stacpoole, Bill to provide for the apportionment of Grand Jury Cess between Landlord and Tenant in Ireland, *ordered* to be brought in by Mr. Stacpoole and Colonel Greville-Nugent.

Bill *presented,* and read the first time. [Bill 60.]

DESPATCH OF BUSINESS IN PARLIAMENT.

Lords' Message *considered.*

Ordered, That the Select Committee appointed to join with the Committee appointed by The Lords, to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses, do meet The Lords' Committee in the Painted Chamber this day, at half after Three of the clock.

Message to The Lords to acquaint them therewith.

Ordered, That the Committee appointed to join with the Committee of The Lords have power to agree in the appointment of a Chairman of such Joint Committee.

House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Friday, 19*th March,* 1869.

MINUTES.]—Public Bills—*Second Reading*—Parochial Schools (Scotland) (11).

Royal Assent—(£8,406,272 13*s.* 4*d.*) Consolidated Fund [32 *Vict.* c. 1]; Bruce's Restitution.

PAROCHIAL SCHOOLS (SCOTLAND) BILL.

(*The Duke of Argyll.*)

(NO. 11.) SECOND READING.

Order of the Day for the Second Reading, read.

The Duke of ARGYLL, in moving that the Bill be now read the second time, said that, as he had fully explained to the House the nature of its provisions when he introduced it, he would not trouble their Lordships with any remarks on the present occasion.

Moved, "That the Bill be now read 2ª."—(*The Duke of Argyll.*)

Lord ABINGER said, it was not his intention to detain the House at any length with remarks in respect to the principle involved in the Bill, not wishing to oppose it at the present stage; but there were, however, a few suggestions he desired to make on matters of detail. He was aware that it was not usual to discuss particular clauses of any measure on the second reading, but to wait until the Bill reached the Committee. Yet if the suggestion thrown out, a few days ago, by a noble Earl on the cross-Benches (Earl Grey) was to be carried out, and Bills of this importance to be no longer referred to Select Committees, it would be necessary, he thought, even on the second reading, to consider the bearing which particular clauses might have upon the Bill. There were one or two points to which he begged now to direct the attention of the noble Duke. The first was connected with the imposition of the school rate. The noble Duke proposed to levy a rate of 3*d.* Now, it was distinctly stated by the Schools Commission that a 2*d.* rate would be sufficient for all purposes in the rural parishes of Scotland, and also in the principal towns, and that a 2½*d.* rate would be sufficient for Glasgow and a few of the other large towns. He would therefore wish to ask the noble Duke, not with a view to making any objections to the rate he now proposed, but simply for information, what were his reasons for substituting a 3*d.* rate for the 2½*d.* one? He was afraid that if the noble Duke carried out his proposition with respect to this rate by means of an irresponsible Board, and should the 3*d.* rate be exceeded, he could not perceive how the Bill would enable any ratepayer to obtain a remedy from a court of law, should he be driven to make the application. His next objection was to the clause which related to the conversion of the old national schools into new national schools. There was power given by the Bill for that conversion, and further, there was a very objectionable power vested in the Board to decline accepting these schools should they think fit to become national schools. The effect of that must be that, in liberal parishes where the salaries of schoolmasters had been increased, and where good school buildings had been erected, this irresponsible Board would have the power of objecting to take over these schools and buildings, with a view of proposing an additional assessment of 3*d.* for their new schools. Now, he should like to know what was meant by the imposition of this 3*d.* rate. The object of the Bill was to provide for the education of the people, and as all landward parishes would soon have the burden of maintaining the schools cast upon them by this Bill, he thought they had a right to get some information from the noble Duke with respect to this rate. He thought it objectionable that the people of Scotland should be made to pay a double assessment—one by the heritors and the other by the ratepayers—as they would undoubtedly have to do, should this Bill be passed in its present shape. His own opinion was that it would be much better to have only one assessment and one principle contained in the Bill. This 3*d.* rate hardly gave a proper idea of the real amount of taxation which would be imposed by it. He would quote a few figures taken from the Report, which would put very fairly before the country the amount of taxation which the managers and ratepayers would be called upon to pay. The total amount of money levied under the parochial system for all the schools in Scotland in landward parishes was £47,700, and the number of schools supported by these contributions was 1,008, making an average of £47 per school. He found, moreover, that the total amount of rateable property in Scotland, excluding the Parliamentary and Royal burghs, was £10,750,000. Now, a 3*d.* rate upon that amount would raise £134,000, which sum under the present Bill might be raised, in addition to the £47,000 already subscribed by the heritors. In the county of Invernessshire this would amount to an additional sum of £90 on the average in each parish. There was another point which he wished to bring under the notice of the noble Duke. He thought that an additional number of parishes on the West Coast of Scotland might be included in what are called the "insular parishes," to which enlarged grants might be made by the Privy Council; and he thought that the principle might be further extended to all parishes where the poor rate—which was a good criterion of the prosperity of the parish—exceeded 2*s.* in the pound. Where, on the other hand, the population was so sparse as to make it scarcely worth while to erect a school, he thought the ratepayers should have the power of objecting to the obligation of providing a school. He objected also to the constitution of the proposed Education Board, as provided in the Bill. It was to consist of eight members: two of whom were to be appointed by the ratepayers, two by the conveners of counties, two by the town councils of burghs, two by the Universities, and one by the associated schoolmasters. The other member of the Board was to be the paid servant and nominee of the Crown, and was to act as Chairman with a casting vote. The other Members were not to be paid. Now he held that service which was poorly paid was, generally speaking, very poorly rendered, and that therefore they had no right to ask for gratuitous service. He thought the ratepayers had a right to demand better representation on the Board, and that in fact the principle of representation following taxation should be observed. He had an especial objection to a member being appointed by the associated schoolmasters. The associated schoolmasters were in fact neither more nor less than a trades union, not the less dangerous because its members were educated, and able to get up Petitions, and they already had more influence in Parliamentary elections than it was advisable they should have. Although, moreover, their interests were identical with those of the ratepayers as far as furnishing a sound education was concerned, they were in direct opposition as regarded salaries; the object of the schoolmasters was to obtain as large salaries as practicable, while that of the former would be to pay not more than was consistent with due efficiency. The proposed constitution of the Board was objected to by all noble Lords and Members of Parliament from Scotland with whom he had conversed. What he preferred was that the Board should consist of three members, to be paid by grants from the Crown. One should be the Chairman, as at present proposed, and a nominee of the Government, and have a casting vote; and the others should be elected by the commissioners of Supply or conveners of counties; and the third by the connection of Royal burghs. He trusted the noble Duke would take that suggestion into consideration. He should certainly in Committee oppose that form of Board which was now proposed. Another matter also, he thought, deserved consideration—namely, the retiring allowances to the masters. If they were to be provided for at all, he thought there should be a minimum sum, and that the minimum limit should be £15, with a discretion to the school committee to allow one-third or one-half of the salary, dealing with each case on its merits. Although he had thought it his duty to make these remarks, he had great pleasure in supporting the principle of the Bill.

THE EARL OF AIRLIE said, he was glad to gather from the observations of his noble Friend (Lord Abinger) that there was no intention on the part of noble Lords opposite to oppose the second reading of the Bill. The principle of the Bill he took to be the extension of the parochial system to the whole of Scotland, and the application of that system to the new and increasing wants of the country. The system in operation, of which the Scotch were very proud and which had received the approval of highly competent judges, was based upon rating. Now, it had been objected that if they had rating for the purposes of education, it led to the discouragement of voluntary efforts. It had been shown, however, conclusively, by a letter in *The Times*, written by Mr. Cumin, the late secretary of the Education Commission, that in Scotland it by no means followed that because the Scotch had a system of rating, therefore voluntary effort was discouraged. Mr. Cumin showed that, although a system of rating exists in Scotland, yet the voluntary subscriptions are, in proportion to the population, equal to those in England; and that in the districts where rating prevailed a large number of schools received assistance from the Privy Council—proving that a certain amount, at least, must have been subscribed by the people; the fact being that the landed proprietors contributed a larger sum than they were bound to do, thus standing in the position of voluntary subscribers. But that did not bring out the full strength of the case. In many cases, where the masters received a larger salary than the £35 which the heritors were bound to pay, those masters were uncertificated, so that no grant was given. The cases, indeed, where only the £35 was given were exceptions to the rule; and in that way there must be a considerable amount received from voluntary aids. He was much surprised to hear some of the opinions which had been expressed in that House, not only as regards the question of rating, but also as regards the question of primary education. The other night, on a Motion being brought forward by the noble Earl (Earl Russell), a noble Lord said that for his part he did not think it was of any use to educate the agricultural classes. He understood the noble Lord to apply that observation to some of the English counties. He wondered whether noble Lords who entertained that opinion had ever thought of comparing the condition of the labouring classes in the Southern and Midland counties of England, where education was at a low ebb, with their condition in the Northern counties and in Scotland, where a system of education had prevailed for 200 years. In the Southern and Midland counties of England the condition of the agricultural labourer was not a very hopeful one. He was rooted to the soil in which he was born, and after labouring for many years, he had only to look forward to ending his days in a workhouse, or to obtaining out-door relief. But in the Northern counties it was no uncommon thing for an agricultural labourer to accumulate a sum of £150 or £200; and in Scotland it was not at all an uncommon thing for an agricultural labourer, before he had passed the term of middle life, to find himself in possession of a good farm. He thought it was not at all difficult to connect this state of things with education. The Scotch labourer, when he left school, looked forward to pushing his way in the world. He read the newspapers, corresponded with his own class, knew the rate of wages elsewhere as well as the farmers did; and if he found that he could obtain in another part of the country 1*s*. 6*d*. or 2*s*. a day more than he had where he was located, he emigrated to that other district. It might be said that only an unmarried man could do this, but it was one of the results of the provident habits imparted by education that agricultural labourers generally married late in life, and were therefore the better able to emigrate. So much for the influence of education. Some persons who argued this question appeared to think that they had to choose between paying an educational tax in addition to their other rates and taxes, or the latter only. He thought they had no such alternative. The question was whether they were to pay a moderate rate for education, or be subject to a large and constantly increasing rate for the relief of the poor. With respect to the Bill before the House, there were, he thought, a great many of its provisions to which they must all cordially agree. He cordially approved the inducements it offered to managers of schools to place them under the inspection of the Privy Council; for, as a rule, the superiority of inspected over non-inspected schools was very striking. He was convinced, for his own part, that they ought, as far as they possibly could, to get rid of the denominational system, and substitute for it a national system. He rather doubted whether the power should not be vested in the managers of schools rather than in the Board to dismiss schoolmasters, the managers being the persons principally interested in the success of the schools. At the same time, he thought the machinery proposed to carry out the Bill was very defective, and required a great deal of re-casting. He agreed with his noble Friend opposite (Lord Abinger) that the constitution of the Board was objectionable. Without binding himself to the plan his noble Friend had suggested, he thought that the Chairman of the Board should be appointed by the Crown, and be responsible to the Crown and to Parliament. That proposal might not be very popular in Scotland, but as they could not get rid of the Board, he thought they ought to do the best to improve it. He understood the noble Duke (the Duke of Argyll), in introducing the Bill, to say that the Board was to have power to decide which school was to receive the grant and which should not. Now, that was giving the Board a power of dealing with a considerable sum of money voted by Parliament. On the Board, as proposed, there were to be two members appointed by the Crown, two by the Universities, two by the burghs, and two by the counties—in short, of the entire Board only two were to be really responsible for the expenditure of the money; the others were to be in the nature of the local board. This was the first time he thought they had heard of a local board having the control over money voted by Parliament, and he thought it was an innovation which was not an improvement. The Board would also have much power of imposing local rates, for they were to decide on the erection or enlargement of schools. Now, while the ratepayers had two representatives in the counties and two in the burghs, there were five members of the Board who did not, in any sense or manner, represent the ratepayers; therefore, if they came to a question of expense, the members for the counties and parishes, although they might be unanimously opposed to the expense, would be over-riden by the majority, which did not, in any way, represent the ratepayers. It seemed to him that those who had had the framing of this Bill had constituted this Board, which was to be intrusted with the control of a large amount of money raised by way of rate and taxes, in such a way that the chance of their having effective control over the money so raised was very small indeed. They all knew how strongly religious feeling ran in Scotland, and yet they found that in the matter of the election of the Board members of the Free Church were to be elected with United Presbyterians and members of the Established Church, and that they were to adjudicate on the claims of these schools. He could not conceive a plan better calculated to foster discord of every kind. Take the case of the Roman Catholics. What chance had any Roman Catholic of being elected by this Board? He must say that he should not like to be a Roman Catholic manager of a school in the hands of a Presbyterian Board. With regard to the expenditure, he agreed with his noble Friend that it would be much better to place the contributions under the immediate control of the Privy Council. It appeared to him to be monstrous that the Universities should have two members on the Board, when counties and the parishes had only the same number; and, another thing was, why there should be this number elected by the educational institute. That was quite a new feature in the scheme, and it was not recommended by the Commission. He must protest against the proposal to erect the schoolmasters into a separate class. They must bear in mind that the schools were for the benefit of the people, and not of the schoolmasters. There was another part of the scheme upon which he looked with great alarm and suspicion. He found it stated in the Schedule for the guidance of the schoolmasters that the standard of education was not to be lowered. Those were words of which they ought to have a clear explanation. What did they mean by a standard of education? Did they mean that the standard of the Privy Council was to be kept up, or that they were to introduce another standard? Before the Revised Code was introduced in Scotland, there were complaints of the neglect of the elementary branches of education—the acquaintance of the scholars with writing and arithmetic was much inferior to that of English children of the same age, taught in the schools which were under the supervision of the Privy Council. This fact was fully set forth in the second Report of the Scotch Education Commissioners, pp. 99-101. No doubt, it was very disagreeable for a schoolmaster of high attainments to have to attend continually to reading, writing, and arithmetic; but that was only the more reason why they should watch more closely that these branches were carefully attended to. After the Revised Code was introduced, there was a great improvement in these branches. Were they going, then, to throw the weight of the Government in the scale in favour of the higher branches as against reading, writing, and arithmetic? There was another proposal in this Schedule. It was that the endowments should be reckoned as part of the voluntary contributions, and that the Privy Council should give in proportion. He was not going to argue the question of endowments, but he would only say that the principle laid down there was diametrically opposed to the principle laid down in the Revised Code, which was only laid upon the table a short time ago. He wished to know why we are to apply to the people of Scotland a principle entirely different from the principle which they applied to England? He hoped time would be given to consider the Bill, so that they might be able to remedy some of the defects which he had pointed out.

THE EARL OF DENBIGH: The noble Duke (the Duke of Argyll) in his introductory speech on the first reading of this Bill informed your Lordships that its provisions were formed substantially on the recommendations of a Commission which sat in 1864 to examine into the question of education in Scotland. He stated that that Commission was composed of representatives of all the leading religious bodies in Scotland which he enumerated. Among these was found no representative of the Roman Catholics of Scotland, who appear to have been entirely ignored in the matter. It is true that Catholics form a minority in Scotland, but I beg to inform your Lordships that that minority is composed of no less than 300,000 souls, or one-tenth of the population of Scotland, and surely these deserve to have their interests considered in a matter which affects them so vitally. My Lords, I have the honour on this occasion to be selected to represent that minority in your Lordships' House; and I have been entrusted with a Petition representing the grievances under which the Catholics of Scotland would labour if this Bill is carried into effect. It would have been signed much more numerously had there been time; but as it has the signatures of the Archbishop and three Bishops who rule over the Catholic Church in Scotland, and by several of their clergy, I trust it may not be thought wanting in weight. Before reading the Petition—which being short I shall ask your Lordships' permission to do—I will proceed to examine some of the chief provisions of this Bill. There will be a central Board established, of despotic power, ruling on every occasion by majorities which must practically necessarily be Protestant by the constitution of the Board. This Board will have the power of selecting which of the existing denominational schools shall continue to receive a national grant. Judging from the treatment which Catholics have hitherto received from Scotch Protestants in regard to the education of their pauper children, it will not be difficult to form an estimate of the chance their schools would have of selection by this Board. But this is not all. At a given date all denominational schools are to cease and to be "absorbed" in the new national system, and as a guarantee the noble Duke offers us a strict Conscience Clause. Now a Conscience Clause is a necessary concomitant of a denominational system when a very small minority exists in a parish where there is only one school, where a different creed is taught; but in a national system like this proposed, where there may be very large minorities, perhaps even a majority, occasionally professing a different religion to the one taught in the school, who is to see to the proper working of the Conscience Clause? who is to see that the children withdraw, and to what place are they to withdraw, and what are they to do whilst religious instruction is being imparted to those remaining in the school? My Lords, I think I am justified in saying that this Bill was drawn up by Presbyterians for the benefit of Presbyterians, for assuredly both the Episcopalians and Catholics will alike suffer under it. The noble Duke says that the differences among the Scottish Presbyterians are not so much upon doctrine as upon matters of Church government, but I need not tell your Lordships that the differences between them and the Catholics and Episcopalians involve grave matters of vital doctrine. But, my Lords, I look upon this Bill as the thin edge of the wedge by which secular education, as it is miscalled, will be extended hereafter to England and Ireland. If merely elementary education was to be imparted on this system, such as is familiarly denominated the "three R's," I should not so much cavil, but the noble Duke has distinctly stated, in his opening speech, that the higher branches of learning are to be taught, and he instanced by name history and geography. Now, my Lords, if these higher subjects which involve religious instruction, are to be taught in common to a school composed of mixed creeds, either the subjects must be so diluted to suit their scruples as to be practically useless, or else some one's conscience must be wounded. I will give your Lorships an example, which fell under my own notice some few years ago in Ireland, of the value of history as taught under this, the national system, in use there. I was staying at Fermoy with the Bishop, who took me to see his schools. I entered a magnificent school, which, had it not been wanting in all religious emblems, I should have taken for a purely Catholic school, as it was taught by nuns. I was invited to hear the children examined, and history, geography, arithmetic, and other branches of instruction were offered to my selection. I chose history; and, upon being asked to choose the period, I selected the reign of Henry VIII. What was my surprise when the teacher exclaimed—"Oh, we must not touch that. The Government will not allow us to teach the children that there has ever been such a thing as the Reformation." My Lords, I could hardly believe my ears; but so it was, and history was taught under this system with the cardinal point of English history, the "blessed Reformation," omitted! Am I wrong in calling this history emasculated? And will it not be the same with philosophy? But, my Lords, I will leave what might be thought sectarian grounds, and challenge the whole question on its own merits. I will ask your Lordships to consider well the distinction between instruction and education, for it is by a confusion of ideas on this matter that these errors arise. In what does instruction differ from education? My Lords, instruction is to education what the pencil of the artist is to the finished drawing which he produces thereby. I should like to hear the noble Duke's definition of education. I will give you mine, and I beg your Lordships' particular attention to it, as on this lies the whole gist of my argument. Education is the due development of all man's moral, mental, and physical powers, for the purpose of enabling him to accomplish the object of his creation. Now, then, for what object was man created? I answer in the simple words of the Catechism—"To love, honour, and serve God, and thereby to save his own soul." But how can man do this unless the basis of his education is to instruct him as to the nature and attributes of God, and his duties towards Him? In other words, unless he is taught definite, distinctive, dogmatic religious truth. My Lords, as the noble Duke rightly said—"were there but one religion all educacation would be easy enough;" but as there are many diversities of creeds, and must ever be where Protestantism exists, there is but one alternative left—namely, to give facilities for every religious communion to teach its own children in that way which will have a hold upon their consciences, and convince them that they have a higher duty than to worship their own selves, and seek their own self-interest above all things. My Lords, would you put edged tools into the hands of children without first instructing them how to use them? Well, the uneducated are like children, and what sharper tool can you put into a man's hands than a sharpened intelligence, the more dangerous if you fail to inform his conscience in the same ratio that you develop his intellect? You will on this system form that most dangerous member of society, that moral pest, an intelligent devil. See what the system is doing for France. Are you prepared to imitate it in this country? You have given an enlarged franchise, and are putting more power into the hands of the people. Cast your eyes around and see who are those that are plotting revolutions and subverting society. Are they not notorious scoffers at religion, if not professed infidels? My Lords, the cultivation of the intellect will do much towards indisposing men to gross and brutal crimes. As we used to learn at school—

> "Ingenuas didicisse fideliter artes,
> Emollit mores, nec sinit esse feros;"

but if a man is not restrained by some higher principle, that of religious duty, he will succumb when the hour of trial comes. My Lords, I implore you to weigh well the consequences of admitting this principle. If this Bill is to pass a second reading, I trust it may be so altered in Committee as to be applicable to Presbyterians alone, for whom it was evidently intended; and I hope your Lordships will support me in the principle which I have laid down, that education without definite religious teaching is an impossibility, a mockery, and a farce.

THE DUKE OF MARLBOROUGH: It is not my purpose, following the example of other noble Lords, to offer any opposition to the second reading of this Bill; but there are certain features of very great importance in it to which I feel it my duty to call your Lordships' attention. Before, however, I deal with the Bill itself, I think it is necessary to remark upon the peculiar mode in which the measure has been introduced to your Lordships' House. When inquiry is instituted into any subject of great national importance by means of a Royal Commission, whatever may be the recommendation of that Commission, it is generally regarded as the duty of the Government for the time being to take those recommendations into their serious consideration, and, having reviewed them in the light of the exigencies of the case and the peculiar views of those most interested in the result, to introduce a Bill adopting with more or less modifications the recommendations of the Commissioners. I think that upon this occasion a serious departure has been made from that long-established rule. I do not know an instance of a Royal Commission making any recommendation—however important—without some deviation, at all events, having been made from these recommendations—deviations instituted upon the responsibility of the Government, and better suited to the necessities of the case. But on this occasion we find this very peculiar course adopted—that the Bill relating to the subject of education is not introduced by the noble Lord at the head of the Education Department of the Government (the Earl of Kimberley) upon his recommendation or authority, but that it is introduced by the noble Duke, the Secretary of State for Indian Affairs, whose name appears at the head of the Commissioners whose duty it was to inquire into this most important subject. The Bill is introduced almost *verbatim et literatim*, word for word, with one exception, and identical with the recommendations of the Commissioners. I have no right to question the discretion of Her Majesty's Government as to what measure on this subject they will propose for the adoption of Parliament; but, at the same time, I must say that the course pursued is altogether an unusual one, and one that betrays very little consideration of this subject on the part of the Government. The first point that strikes me in the Bill is that, while the measure is that proposed by the Royal Commissioners, it almost entirely ignores some most important features of their Report. Allow me to draw the attention of your Lordships to one of them. I believe the general principle included in every Bill presented by successive Governments relating to the education of the people in Scotland was that the true principle upon which these Bills ought to proceed was the extension of the parochial system; and I have been struck with this passage among the recommendations—

> "That the most desirable, and, in point of principle, the simplest course would be the extension of the parochial system in proportion to the whole population."

I admit that the Commissioners afterwards profess to see grounds for departing from this wise conclusion; but, after examining the whole Report, I confess I see no adequate ground for this departure. There is one point which particularly strikes one in the Report of the Commissioners, and that is that part which refers to the denominational system; and I cannot help thinking that the Commissioners started with a foregone conclusion that there was a necessity to establish some new national system, and that they contorted and twisted their facts to suit their conclusion. With regard to the denominational system, nothing is more plain in the Report of the Commissioners than that they lay down this particular fact that, whatever the defects of the denominational system in England, at all events they are not apparent in Scotland, and that the denominational system virtually has no effect in impeding the progress of the national system. But in the face of that assertion the noble Duke lays a measure on the table, the whole aim of which is to uproot and destroy the denominational system in Scotland. Now, what will be the effect of this upon the voluntary principle in Scotland? The object of the Bill is to create "new national schools" and "adopted schools." I do not see that the adopted schools are likely to derive any benefit from the change proposed. They are to be subject to the direction of a Board, and they are enabled to act in contravention of any terms imposed upon them by their trusts, while the committee of the schools may call upon them to maintain the school, for which no funds are provided, out of their own pocket. Therefore, if the adopted schools are to take advantage of any provisions of the Act, it can only be with the view to their falling into the system of new national schools. But what will be the effect of this Bill upon the old national parochial schools? By degrees a system of starvation will be set up by which the whole of these old national schools, following out the theory of the Commissioners, will be forced into the system of the new national schools. There are various inducements held out to them to become new national schools. In the first place, the general Board has the power to create new national schools wherever it sees, or fancies it sees, the necessity; and the effect will be that you will have two systems of rating and two committees in a parish, the one regulating the old and the other the new schools, and the effect of this will be that the old national schools must inevitably become absorbed into the new national schools. But what will be the effect of this upon the voluntary system? Your Lordships need only refer to the Report of the Royal Commissioners in order to see what a large amount of voluntary effort there is in Scotland. Collections in behalf of the schools are made in all parts of Scotland, not as in England in particular localities, where the schools exist only, but collections are made by different societies in all parts of Scotland, and then distributed generally throughout the country. But my own conviction is that when the system of rating is established in Scotland, that system will so affect the general opinion of the people in Scotland, that they will say—"Now that we are maintaining schools by rates, why should we any longer put our hands into our pockets to defray the costs of these voluntary schools which have so long continued?" and which I submit are of the greatest possible benefit. But there are one or two other points which I think deserve great consideration with regard to this measure. One of these is the representation of landowners upon the new Council, and this is the point to which I alluded as the one in which a serious departure had been made from the recommendations of the Royal Commissioners. They recommended that there should be two classes of electors; one portion of the committee was to be elected by the owners of property—the representatives of respectability and responsibility—and the other portion was to be elected by the minor tenants and persons, who, no doubt, would be the lowest class of ratepayers. This was an important provision, and one necessary for maintaining the respectability of the schools, and I regret to see that it is omitted in the Bill of the noble Duke. He will, perhaps, say that the central Board has power to make regulations. I am not quite sure that that is clear on the face of the Bill; but I do not think it is a matter that ought to be trusted to the responsibility of the general Board, and I think that they ought to have directions laid down in the statute with regard to the general Board, which it is proposed by the Bill to constitute. With regard to the proposed constitution of the central Board, I agree very much with the remarks of the noble Lord opposite; and I cannot but think that very great confusion and difficulty will arise from the creation of this Board. But in saying this I speak with great deference of the people of Scotland, because I believe it is a part of the measure which has been generally acceptable to them, and, therefore, I only give your Lordships my own individual opinion that it is a system which would be found not to work well. That will be so particularly as the central Board will not be entrusted with the inspection of the schools—which is a point most necessary to enable the Board to judge of those cases where it is important to appoint new masters—but the inspection will continue as now in the hands of the Committee of the Privy Council, and grants are to be made, not to the Board, but directly to the treasurer of the schools. I cannot but think that the existence of the Board will open the door to great abuse, for the members being unpaid, will be very likely to fall under the direction of a clever secretary; and there may be conflicts between the Board and the Privy Council which may prove disadvantageous and inconvenient. One of the greatest objections to the Bill, as it seems to me, is the want of a guarantee for any religious teaching in the schools. The noble Duke, when he introduced this measure, stated that it had the general concurrence of the people of Scotland. I can only say that whatever evidence has come before me in reference to this measure since its introduction has been diametrically opposite to that. I do not mean to say that the people of Scotland are not very desirous of having a measure of education which will be satisfactory to all parties; but there is very great divergence of opinion with regard to this measure in Scotland, and that feeling has been expressed at meetings of the Free Church Presbyterians and other denominations; and if the noble Duke will refer to the newspapers he will find evidence of a large amount of dissatisfaction. But I think that your Lordships ought to contrast the provisions of this Bill with the existing law. The examiners of schoolmasters are chosen from the Universities, and three of them must be Professors of Divinity. The Bill, however, leaves out those provisions, and the examiners may be laymen or not. Then by the Act of 1861, the schoolmasters, although they are not required to profess or subscribe the "Confession of Faith," or Formula of the Church of Scotland, must subscribe a declaration that they will never, in the discharge of their office, endeavour, directly, or indirectly, to teach or inculcate any opinions opposed to the Divine authority of the Holy Scriptures, or to the doctrines contained in the Shorter Catechism. There is no provision of this kind in the Bill, and no sort of security that the masters profess any religion whatever; yet these schools will soon absorb all the other schools. The noble Duke will perhaps say that in Scotland everybody is so impressed with the importance and necessity of having religious training for their children that it is needless to have a guarantee of this sort, for the school committees will see that proper appointments are made. I think this may be so; but at the same time, there is no provision for requiring a profession of faith from schoolmasters, and there is no power given to the committee, supposing a schoolmaster changes his views, or teaches doctrines contrary to religious belief, to discharge him without the consent of the central Board. I know it is strongly felt by the persons who have represented the case to me to be an objection that there is no security that the central Board will be composed of persons who will sufficiently recognize the importance of religion in the national teaching of Scotland. There is one other point which is of great importance, and which deals very hardly with a large class of schools—the schools at present supported by voluntary efforts. As the Bill stands, after March, 1870, all schools that are not national schools will be precluded from receiving any assistance from the Parliamentary Grant. Thus only one year is allowed for a great number of the schools belonging to the Free Church and other voluntary denominations to range themselves in the class of new national schools. I believe the Free Church has 600 schools in Scotland; and other denominations, though they have a less number of schools, are all of great importance, and working well; and yet, if in the brief space of one year these schools fail to come into the new system, they will be no longer capable of being recipients of the Parliamentary Grant. These are serious objections, and perhaps the noble Duke will endeavour to remove some of them during the progress of the Bill; but as it is not the pleasure of your Lordships to obstruct the second reading of the Bill, I have thought it necessary to bring before your Lordships' attention one or two points which I believed to be worthy of consideration.

The Duke of ARGYLL: My Lords, I am much obliged to my noble Friend who began this discussion (Lord Abinger) for the manner in which he dealt with this subject; because, although most of his observations referred to details, they are details of importance, and we have derived much information from my noble Friend's remarks. Perhaps your Lordships will allow me to follow the points raised by the noble Lord in the order in which they were mentioned, as I shall thus be able to answer the greater part of the objections which have twice been taken to this measure. First, I am asked why the maximum school rate is fixed at 3*d.* instead of 2*d.* or 2½*d.*, as recommended by the Commission. In many parts of Scotland a rate of 3*d.* will be rather inadequate for the purpose, although it will be ample upon the larger rentals of the richer counties. Of course the rate named is the maximum—not the amount which it will be compulsory in every case to raise, but the sum beyond which it will not be competent to go; it is not necessary that the heritors should impose the full rate if they do not need it. I am not quite sure whether it was the intention of my noble Friend to suggest that the maximum might be raised where even 3*d.* is insufficient—if it is, it is a useful suggestion and may be considered. Another point referred to is that of double assessment in the same county. If the heritors' school is insufficient and the Central Board find it necessary to insist upon having another, there will then be a double assessment; if, however, the heritors determine to put their parochial school upon the rates, their exclusive liability will cease, and they will pay simply as ratepayers—and in many of the rural parishes the heritors and their tenants are almost the only ratepayers. The new Bill will follow the principle of the old Scottish law—that of half-and-half assessment. We adhere strictly to our national system—that the rates should be levied from the owner and the occupier, with relief to either party in case he pays the whole. I now come to the additional aid of the Council Grant which is provided for the "insular" parishes. It must be remembered that the insular parishes are very easily defined, but that that is not the case with the mainland parishes. The object of the Privy Council is of course to defend themselves from undue demands on the grant and to give it only where it is necessary. I come now to the question of the constitution of the Board. This is, I confess, precisely one of those points on which each man has his own nostrum. There are probably many different ways of constituting the Board, each one of which will do just as well as another. You might, indeed, shake them all together in a hat and trust entirely to chance for the selection. I have a strong opinion on the subject; but if the House should think that the parochial teachers are not of sufficient importance to have a representative on the Board, I am not wedded to my own plan; and so, if noble Lords think that the ratepayers ought to be strengthened and that the two Members for the Universities should be struck out, though I should not approve such a course, I think that it is a matter of detail that may fairly be discussed and settled in Committee. By that I merely mean to say that, as to these matters, they relate solely to the details of the Bill, and that as matters of principle I attach no importance to them whatever. I certainly think that as the Bill now stands the powers of the Board without any check or control may, perhaps, be more arbitrary than necessary. I should therefore propose that when the Orders of the Board are clearly against the wishes of the ratepayers, the Orders shall not take effect until the Minutes have been laid before the two Houses of Parliament for forty days, when, if no steps are taken against them, they will be acted upon. I should also propose that an appeal should lie from the Orders of the Board to the Secretary of State. I think that these are fair concessions to make, and that the powers of the Board will be sufficiently strong even with the addition of these provisions. I now come to a point of considerable importance, and, I venture to say, very much misunderstood by my noble Friend behind (the Earl of Airlie)—that is, the proposal suggested in the Schedule of the Bill with regard to certain modifications of the Revised Code. I entirely agree with the remark of my noble Friend behind me as to the great value of a Revised Code, even as applied to Scotland. The Revised Code has been introduced into Scotland for the purpose of examination, but it has never yet been introduced into Scotland for the purpose of payment. It has been shown that in Scotland there has been considerable neglect in the elementary branches of education, and we hope that the introduction of the Revised Code will lead to greater attention being bestowed on this department of education. Now, the noble Duke who has just sat down (the Duke of Marlborough) expressed some surprise that this Bill was not introduced into your Lordships' House by the President of the Privy Council. But the course is by no means unusual, for the Public Schools Bill was brought in by my noble Friend who was Chairman of the Commission, and I cannot see anything which should occasion surprise when it was determined to introduce this measure into your Lordships' House, and to intrust it to a Member of your Lordships' House who was also the Chairman of the Commission. However, I am perfectly willing to leave that matter to the opinion of the people of Scotland. Now, with regard to denominational education, I never have objected, and never will object, to the principle of denominational education, except upon one ground, and that is that it is incompetent to overtake the educational wants of the country. I agree in the opinion that in itself and in the abstract it is an advantage that children should be brought up in connection with some definite system of dogmatic teaching. But there is no denying the fact that up to the present time there has been a lamentable deficiency of education in Scotland under a system which may be regarded as at once denominational and national. Let me remind the House that in principle the old national system of Scotland was the system of rating—rating on the owners and occupiers of property; and if that system is intended in the present day you must take all the consequences which flow from the extension of religious dissent. You cannot have a system founded upon rating among a people who are divided in religious opinion without more or less impairing your denominational system. But in Scotland, though the people are frequently divided on points of ecclesiastical discipline, there is, for the most part, tolerable unity in points of purely religious doctrine. The national system of Scotland, by a Bill which was passed some years ago, was separated from the exclusive connection with the Established Church. The masters may be Presbyterians, Episcopalians, and in some cases Roman Catholics. There is, absolutely, no restriction upon the choice of schoolmasters. I am quite aware that in nine cases out of ten—perhaps in ninety-nine out of 100—the heritors of a parish, being members of the Established Church or Episcopalians interested in the support of the Established Church, have elected masters who are members of that Church, but it is quite open to them to elect whom they please. It is, therefore, a fallacy to suppose that the national system of Scotland is connected with the Established Church. With regard to the denominational schools in Scotland at present, the evidence of the Commission went to show that in the majority of cases they have been placed where they are of real value to the people; and where this is the case they will be continued. The principle of the Bill is that the management of the national schools is not interfered with, nor is the management of the denominational schools. Undoubtedly, the Bill provides that after a certain date no new grants shall be given by the Privy Council to denominational schools. With regard to the proposal made by the noble Earl on the cross-Benches (the Earl of Denbigh) I will not deny the force of some of his observations. I am for equality in the case of the Roman Catholics as well as in that of any other denomination; but I do not think that, for the sake of 300,000 or 400,000 Roman Catholics, we should stand in the way of a system of education which will suit all other denominations. Under the old parochial system the Roman Catholics never were coerced, and I cannot see why, under the protection of a stringent Conscience Clause, watched over by the central Board and by the Privy Council, the Roman Catholics should not take their place with all other members of the community and receive secular instruction, receiving at the same time, from their own priests or other religious teachers, such religious instruction as they may think it right to have given to them. But if the objections of the Roman Catholics be such that they cannot receive secular instruction in that way, I should prefer that they were left as they now are, under the Privy Council, separate, rather than that they should stand in the way of an educational system suitable to all other denominations. I have only to say further, that should your Lordships read the Bill a second time, I shall be prepared in Committee to consider any suggestions that may be made for the amendment of details.

LORD CAIRNS said, he had no desire to offer opposition to the second reading, but he wished for explanations on some points, because the more information their Lordships got on the details of the Bill now, the better would they be able to deal with it in Committee. In the first place, though there could be no doubt that a 3*d*. rate, if levied all over Scotland, would be sufficient for educational purposes, it was, he thought, very doubtful whether, in some particular parishes, that amount would be sufficient for the object in view. He thought, therefore, information should be given as to the parishes where the rating system was to be brought into operation. Again, he wished to know how this and the other House of Parliament were to deal with the question of rate? Here was a Bill which dealt with money in two different ways—first, there was the question of the local taxation, over which the Board was to have control; next, there was the application of the money derived from the Parliamentary Grant for education.. The Lordships knew that in their House they were accustomed to take money clauses *de bene esse;* but that was not the point in this case. Suppose their Lordships passed the Bill through Committee, read it a third time, and sent it down to the other House. In the other House the clauses relating to the rate might be amended, in which case those clauses would come back again to their Lordships as new clauses, and not only as new clauses, but as money clauses. That was the difficulty to which he wished to direct the attention of the noble Duke; because it appeared to him that their Lordships would be powerless to deal with the amount of the rate, or the body which was to exercise the powers of rating. With respect to the constitution of the central Board, as the Bill stood the Privy Council would supply part of the funds, and the central Board would supply the other part. The Privy Council would therefore still exercise a supervision over the schools by inspection, and on the other hand certain powers would be vested in the central Board of Education. Now, it appeared to him that a collision might take place between these two powers; and the mischief was that there was no third body to step in and say which was right. Again, there was a provision that where an Order made by the central Board was objected to, Parliament should decide. The Order was to lie upon the table for forty days, and to take effect after that time, if not reversed. He confessed that he did not think it likely that Parliament would be induced to give its attention to details such as would be involved in Orders of the central Board. There was to be an appeal to the Secretary of State also. He ventured to submit that an appeal to the Privy Council in all cases would be more satisfactory. Something ought to be done with respect to this point. Further, he objected to the two members who were to be returned to the Education Board by the Universities. These members were to be elected by the Councils of the Universities, which were scattered all up and down the country, and had no limited organization; so that there would be the danger of the members not being properly chosen. The alteration he would suggest would be to vest the election of these two members in the University Courts, which consisted of but a small number of thoroughly competent persons, who themselves were elected by the University Councils. That would be a great improvement. In the formation of the local committees he thought it would be better that in the landward parishes they should be chosen by the parochial Board. He wished to know further why the denominational schools of Scotland, which it was admitted had worked well, were to be put an end to?

THE DUKE OF ARGYLL said, the Bill did not propose to put an end to these schools. They were to be adopted under the new system.

LORD CAIRNS admitted the noble Duke had stated that it was intended the denominational schools should attach themselves to the new system, that they should become adopted schools, and should be allowed to be governed according to their former rules; but it was also proposed that this privilege should only be extended to such denominational schools as should be founded within two years after the passing of the Act. The result of this limitation would be to put a stop to the system of denominational schools to a certain extent. It was further provided, with regard to denominational schools already in existence, that they should not be allowed to come in under the new system unless they did so within a year after the passing of the Act. For his part he did not see why the present system with regard to these schools should not be continued. With regard to the parochial school question, it was clear that, notwithstanding the profession in the Preamble that the object of the measure was to extend the system of parish schools in Scotland, the Bill really proceeded to annihilate those schools altogether. In the first place, the name of these schools was to be abolished. In the next place, they were giving a direct bribe to the upper class of heritors to make over these schools to the national schools; because when these proprietors found that they were to continue to be rated for the old schools, and were to be made to pay an additional rate for the new schools, they would naturally seek to amalgamate the two. He would suggest to the noble Duke that it would, at all events, not be an imprudent course to adopt to provide that, before this transfer of the parish schools to the national schools was effected, an opportunity should be given to see how the system worked with regard to the new schools for, say, some two or three years. The noble Duke had not referred to the suggestion of the noble Lord behind him (Lord Abinger) that, if they were going to provide for certain of the parish schools under the new system, the decision as to which of those schools should be adopted should be left to the schools themselves, and not to the local body. He wished, further, to remind the noble Duke that he had not given the House any information with reference to the words of the Schedule relating to the standard of education to be maintained at these schools in future. The words of the Schedule were very difficult to understand, and the question might hereafter arise as to what was the present system of education in Scotland, the standard of which was not to be lowered. He begged that some information might be given to the House upon this subject. It had been stated that the proposals in the Bill had met with general approval in Scotland; but, as far as he had been able to collect information upon the question, the manifestation of public opinion in Scotland did not appear to bear out that assertion. It was certain that the Established Church of Scotland did not approve the absence in the Bill of any provision for religious education in the national schools, while the Free Church in that country had strongly condemned such an omission.

EARL DE GREY AND RIPON said, that the questions raised by the noble and learned Lord (Lord Cairns) would perhaps have been better timed had they been made when the Bill was in Committee. The first point which the noble and learned Lord had taken related to the rate of 3*d.* in the pound. He should be in a better position to afford information upon that point when the Bill got into Committee. The noble and learned Lord, however, would recollect that there was a provision in the Schedule of the Bill that in those parishes where the rate of 3*d.* in the pound was not found sufficient the grant from the Committe of Council on Education might be doubled. The noble and learned Lord had asked what course they intended to adopt with regard to the rating clauses of the Bill. The usual course of striking out these clauses on the third reading would be pursued, a private communication on the subject being made to the other House with reference to them. The noble and learned Lord appeared to think that there might be some danger of clashing between the proceedings of the Committee of Council upon Education and those of the general Board established under this Bill. He, however, did not anticipate anything of the kind would happen, because the general Board established under this Bill had no duties of inspection. The inspection of the schools would be carried on as at present by the inspectors of the Committee of Council on Education, who would make or withhold their grants upon their own principles. The noble and learned Lord asked why it should be the object of this Bill to bring the denominational schools to an end, and stated the feeling which he himself entertained with regard to them. But the overwhelming evidence of the witnesses, ninety-nine out of 134, was in favour of a general or national system; and if there were such an unanimity of feeling on the subject in Scotland, it surely was worth while to make some sacrifices for the purpose of obtaining so great an end as the establishment of one uniform system approved by the people. According to the noble and learned Lord, this was not a Bill to extend, but to destroy, the parochial by altering their name to national schools. But, surely, that was a verbal criticism? The schools, though they might be called national, would still remain parish schools, managed by local authorities and supported by local contributions. The noble and learned Lord also said that this was a Bill to bribe heritors into converting the existing parochial schools into national schools. But if, under the law as it now stood, heritors could recover half the assessment from their tenants, it was only fair that those who paid half the charge should be represented upon the Board having the management of the school. He could not agree with the noble Duke (the Duke of Marlborough) in thinking that the landowners were the only persons who were to be considered respectable. As the object of this Bill was to extend education, it would require a large amount of local contributions to be levied, and it would be obviously unjust to make it a charge exclusively upon one description of property, falling exclusively upon the owners of land, to the relief of the occupiers. The noble Earl behind him seemed to imply that the Revised Code was in force in Scotland; but if that was his noble Friend's opinion he was in error. No doubt the system of examination in Scotland was carried out in the same manner as the system of examination in this country; but from the adoption of the Revised Code, six years ago, down to the present time it had been found impossible for successive Governments to apply it to Scotland in regard to the mode in which payments were made. The most essential and vital principle of that Code—payment by results—was not now, and had never been applied in that country. Having regard to that experience, it was natural to suppose that there must be some difficulties with regard to the feelings of Scotch people which it was very desirable to overcome; and it was precisely for the purpose of enabling that principle to be applied and of overcoming those objections that the provisions had been introduced into the Bill to which his noble Friend took exception. The system in Scotland with regard to primary education—namely, the education of all classes in common schools—had always been widely different from the system existing in England; and so strong was the feeling in Scotland that it would be highly undesirable and mischievous to interfere in any way with that common system that it had been thought advisable to modify the Code so as to secure non-interference with these common schools. Two provisions were to be made on this head—first, that no question should be asked as to the class in life to which the parent of any child in the school belonged; and, secondly, that the subjects now taught in the parochial schools in Scotland should not be materially interfered with. The noble and learned Lord (Lord Cairns) asserted that the words of the Schedule were difficult to understand, and that questions might hereafter arise as to what was the present system of education in Scotland, the standard of which was not to be lowered. But the words to which the noble and learned Lord alluded referred to rules to be approved in the new Code, and the new Code had yet to be made in accordance with the provisions of the Bill when it passed. In the original Revised Code there were six standards, and when the child had passed through the highest he could not be examined again with a view to a further grant being received for him. But by a Minute introduced by the late Government, a child was permitted to be examined after he had passed the sixth standard in any subject which might be taught in the schools: and all that the present Government had in view, recognizing the peculiar circumstances of Scotland, was to extend the Minute of Mr. Corry, so that the further examination should not be confined to one year after passing the sixth standard. They would be very wrong, however, in consenting to that arrangement if they did not make ample provision to secure that the mass of the scholars should receive the elements of a good education, and so guard against the evils which undoubtedly existed before the introduction of the Revised Code.

It was accordingly the intention of the Government, upon the framing of the new Code, to introduce a provision to the effect that payments for the higher subjects should be dependent on a certain number of passes having been obtained by the general body of scholars in the school; thereby guarding against any temptation to the master to neglect the great body of the scholars for the sake of the most advanced class.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* the 12*th of April.*

DESPATCH OF BUSINESS IN PARLIAMENT.

Message from the Commons to acquaint this House that they have ordered that the select committee appointed by them to join with the select committee appointed by this House on, do meet the committee of this House in the Painted Chamber this day at half past Three o'clock.

Select Committee on, to meet *forthwith.*

House adjourned at a quarter before Eight o'clock, to Monday the 5th of April, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 19*th March,* 1869.

MINUTES.] — Select Committee—Parliamentary and Municipal Elections, Mr. Fawcett and Mr. Edward Egerton *added;* Registration of Voters, *nominated.*

Public Bills — *Ordered—First Reading*—Imprisonment for Debt * [61].

Second Reading—Irish Church [27], *adjourned debate further adjourned;* Salmon Fisheries (Ireland) * [56]; Brazilian Slave Trade * [58]; Inclosure Awards (County Palatine of Durham) [44].

Committee—Report—Mutiny *; Marine Mutiny *; Lord Napier's Salary * [57].

ELECTRIC TELEGRAPHS.—QUESTION.

Mr. SAMUELSON said, he would beg to ask the Postmaster General, Whether a valuation has been made of the total sum which would become payable to the various Telegraph and Railway Companies in the event of the State purchasing their interests under the Permissive Act of last Session, and whether he will lay that valuation upon the Table; whether it is not the case that a large additional outlay beyond that sum would be required in order to complete the scheme of telegraphic communication contemplated by the Post Office; whether the amount of such outlay has been ascertained, and will be communicated to the House; whether the Treasury have caused an estimate to be prepared of the cost of an entirely new and distinct system of telegraphic communication on the most improved plan, under the management of the Post Office, and will communicate such estimate to the House; and, whether or not it is the intention of the Treasury to recommend that Parliament should vote funds for carrying out the Permissive Act of last Session, as well as the additional funds which would be required to complete the postal electric system as contemplated by that Act?

The Marquess of HARTINGTON: Sir, in reply to the first Question put to me by the hon. Gentleman, I have to state that the valuation of the total sum which will become payable to the various telegraph and railway companies in the event of the State purchasing their interests under the Permissive Act of last Session is in course of being made. The arbitrations which are provided for under that Act between the Government and the telegraph companies are in progress, and it is impossible to make the valuation which the hon. Gentleman asks for until they are concluded. With regard to the second Question, it is true that an additional sum, but not a very large sum, will be required to complete the scheme of telegraphic communication contemplated by the Post Office. The amount has been approximately ascertained, and in the event of the Government going on with the purchase of the telegraphs, it will be communicated to the House. In reply to the third Question I have to say that the Treasury have not caused any estimate to be prepared of the cost of an entirely new and distinct system of telegraphic communication, and consequently none can be laid on the table. As to the last Question, it is, perhaps, rather premature that I should state what are the intentions of the Government until the arbitrations are more advanced than they are now, and the sum which will be necessary is more approximately known. I shall, however, probably be able in a few days to state more fully what the intentions of the Government are with regard to this subject.

ARMY—THE 3RD WEST INDIA REGIMENT.—QUESTION.

MR. MAGUIRE said, he would beg to ask the Secretary of State for War, If it be not true that the late Paymaster of the 3rd West India Regiment absconded in December, 1866, and that previous to his absconding he forwarded cheques to Officers on outpost duty for the payment of their men, which cheques were dishonoured on being presented, and that the Officers who received these cheques were compelled to pay the men out of their own private resources; and, whether the money so paid has since been refunded to those Officers; and, if not, what are the intentions of the War Office as to its repayment?

MR. CARDWELL replied that the case was still under examination, and if the officers had done all that they ought to do they would of course be repaid.

NOMENCLATURE OF DISEASES.

QUESTION.

MR. M'LAREN said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the statement is correct which has appeared in a medical publication, to the effect that the Lords Commissioners of Her Majesty's Treasury, by a letter dated 10th March, have ordered 20,000 copies of a work entitled *Nomenclature of Diseases*, to be purchased at the public expense, and distributed gratuitously among the registered medical practitioners of the United Kingdom; whether this work is intended to be adopted or recognized in any way by Her Majesty's Government; and, whether the Colleges of Physicians of Edinburgh and Dublin have been consulted and concur with the London College of Physicians in recommending this nomenclature for adoption throughout the United Kingdom?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the medical profession are required to give certificates in reference to diseases for the use of the Legislature. It appears that medical men are not agreed on the nomenclature of disease, so that much doubt and uncertainty arises from the employment of different terms to denote the same disease, and of the same terms to denote different diseases. The London College of Physicians have for many years been compiling a work to remedy this defect. This work is now completed, and it is true that the Treasury has consented to purchase on certain terms—I need not now specify them—20,000 copies of the work, to be distributed gratuitously among the registered members of the medical profession throughout the United Kingdom. The Government do not adopt or recognize this work in the sense of making themselves responsible for the correctness of its nomenclature; but they do so far adopt and recognize it that it is their wish, without pretending to say that it is perfect—and, probably, it would be the first book of the kind that was perfect if it was—that it should be employed generally, in order that the terminology used by medical men should not be such as to mislead. With regard to the third Question of the hon. Member, the Government came to this conclusion in consequence of a deputation that waited upon them, headed by Dr. Alderson, President of the Royal College of Physicians, and Sir Thomas Watson. We have had no communication with the medical bodies of Scotland or Ireland on this subject, and I am not aware whether they concur with the London College of Physicians upon it.

THE FENIAN CONSPIRACY.—QUESTION.

MR. NEWDEGATE said, he wished to ask the Under Secretary of State for the Colonies, Whether he will lay upon the Table of the House certain documents, being a copy of leaves from O'Farrell's diary; a Report of some conversations between the Colonial Secretary and the late prisoner; several declarations in the nature of affidavits in support of the genuineness of the Papers; and an explanatory Minute by Mr. Parkes in his then capacity as Colonial Secretary, which documents had been presented to the Legislative Assembly of Australia, and had appeared in the Australian Newspapers? He said that information had reached him in reference to the Fenian conspiracy, such as rendered it in his opinion most important that the Government should lay upon the Table the documents to which his Question referred. These documents bore directly upon the existence of the conspiracy in this country, and showed clearly that a document had been sent out to Australia which was termed a warrant for the execution of the Duke of Edinburgh, and that it was sent out by some of the co-

conspirators in this country. The nature of the evidence with respect to the existence and extent of the conspiracy in this country was so important that he hoped the Colonial Secretary would consent to place the Papers before the House, and through the House before the magistracy of the country. He begged to add that when these Papers were before the House he should take an opportunity of bringing forward some further information upon the subject.

Mr. MONSELL said, that he was sure that he should best consult the wishes of the House by simply informing the hon. Gentleman that he should be happy to lay the Papers on the table.

IRISH CHURCH BILL—[Bill 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Disraeli.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

Dr. BALL: Sir, there are in Ireland three great religious denominations—the Protestant Episcopalian, the Roman Catholic, and the Presbyterian. These three denominations are so pre-eminent, not only in comparison with others, but intrinsically in themselves, in numbers, in intellectual cultivation, and in social power and influence, as to have induced the Dean of Westminster—whose name it is impossible to mention without respect—to view them as three Churches co-extensive with three nations—English, Scotch, and Irish in origin—inhabiting the same country. The Protestant Episcopal Church alone of the three possesses separate property derived from public sources. The Presbyterian Church, I believe, derives an income from an annual grant from this House; the Roman Catholic Church has no income of any kind from property derived from public sources, or from any contribution by the Imperial Government, but it does receive pecuniary assistance towards the instruction and education of its clergy. Now, the Bill of the Government proposes to deal with all these various rights of the three Churches, and to withdraw them. I do not agree with the right hon. Gentleman at the head of the Government, that the grant to the Presbyterian Church and to the Roman Catholic clergy at Maynooth are connected with the property or maintenance of the Established Church in Ireland. I do not agree with the right hon. Gentleman when he says that they are maintained to protect that Church, and as buttresses of that Church. Such expressions may have either of two meanings. They may mean that this is the only rational ground on which a Statesman could support these grants, or they may mean that historically, as a matter of fact, this was the ground on which Statesmen have given and supported them. I take issue with the right hon. Gentleman in reference to both meanings; I controvert them both. I say that the grants to Maynooth and to the Presbyterian Church were made in furtherance of the great principle of endeavouring to elevate religious teaching by raising the education and the status of the clergy; and I say further that no reason such as that which has been assigned by the right hon. Gentleman was given by the Statesmen who originally proposed or since increased these grants. The *Regium Donum* owes its origin to King William III., who originally fixed it as a charge upon the Customs of Belfast. He was not animated in granting it, in the slightest degree, by the motive of raising up a protection for the Protestant Episcopalian Church in Ireland. King William had no special leaning to episcopacy, and he abandoned it with little reluctance in Scotland. He gave the grant, first, because in the contest between himself and James, the Presbyterians had adhered to him; and, secondly, because being a monarch of great enlightenment, educated on the Continent, and not much versed in our theological divisions, he had little preference for one system of Protestantism rather than another, and, therefore, he thought it was the duty of the nation to be on terms of alliance with all. This grant has been increased since the

Union, and has been brought to its present amount by gradual accessions, the original sum being but a small one. The grant to the College of Maynooth was originally made about five years before the Union, and upon what grounds? The Roman Catholic clergy were then educated abroad. Pitt, Castlereagh, and the Government of that day feared to expose the Irish Roman Catholic clergy to the contamination of Republican principles by being educated on the Continent; and it was this, and not the protection of the Protestant Episcopal Church in Ireland that was the cause of the grant. Since the Union, this grant has twice become the subject of Parliamentary action. In 1813, the grant was increased. The reasons for its continuance had been explained by Mr. Perceval in 1812: and what reason did he assign for so doing? Certainly, no such reason as the necessity for protecting the Established Church. He said that it was a legacy bequeathed with the Union; that we were bound to it by the Union, and that he felt it his duty, as the Irish Parliament had given the grant, to ask the English Parliament to continue it. I come now to 1845, the last time when this question was before the House. On that occasion the principles on which the Maynooth Grant ought to be maintained were developed, not only by that great Statesman Sir Robert Peel who brought forward the measure, but also by the right hon. Gentleman who is now at the head of the Government. Sir Robert Peel laid down precisely the same abstract principle that I have laid down as the only one that should animate us in maintaining this grant; that it was given in a large and generous spirit of confidence for the improvement of the education of the Roman Catholic clergy, and the elevation of their social position. The right hon. Gentleman the present Prime Minister took a prominent part on that occasion, and supported an increase of the previous annual allowance. He resigned Office rather than, as a Minister of the Crown, bring forward the Bill; in order that he might give the measure a more valuable support by acting in a free and unfettered manner than he could have done if he had remained in Office. I have read with great care the speech of the right hon. Gentleman on that occasion, and it appears to me to indicate a conviction in the right hon. Gentleman's mind, at that time, that the passing of that measure would be attended with another great result, and that you could never again, in the Parliament of England, bring forward a mere religious objection to the endowment of the Roman Catholic Church in Ireland. Sir, I take leave to add to the summary of the origin of the *Regium Donum* and Maynooth Grant a word upon the mode in which the Protestant Episcopal Church derives its property. The right of the Protestant Episcopal Church to the tithe and land in Ireland arises from, and is founded upon, an Act of Parliament. It is a vulgar error to suppose that an Act was passed in direct words, saying that the property of a certain religious body known as the Roman Catholic Church was to be handed over to another religious body known as the Protestant Episcopal Church. In effect, the Act may have done this, but that is not its frame; and the mode of proceeding was by providing that the holders of benefices should conform to the Liturgy of the Prayer Book of the Church of England. It is an Act further professing to oblige all lay persons to attend church every Sunday, when the service of the Church of England was performed. This is the Act of Parliament, and the obligation of conforming to the Liturgy has existed from that hour to the present. The result has been that the incumbents of benefices must necessarily be members of the Church of England, holding the same doctrines as that Church. A word also upon the property of the Established Church in Ireland. It is between £600,000 and £700,000 a year. The right hon. Gentleman at the head of the Government seemed in his statement to imply that the Church Commissioners had underrated it when they estimated it at £616,000. Sir, the mode in which they arrived at that sum was by deducting from the tithe rent-charge the expenses of collection and the actual poor rate which in 1866 was deducted by the landlords of Ireland from the incumbents. In the same Report of the Commissioners you will find on the face of it, if you take the income without the deduction, as it comes from the soil and include lands in actual possession of the incumbents, their estimate amounts to about £703,000. Sir, the Bill now before the House deprives the Protestant Episcopal Church of its property, and the Presbyterian and Roman Catholic Churches of their grants. It affirms without qualification voluntaryism as the principle of your arrangements. Before considering the wisdom of this policy, I must express dissatisfaction with the way in which one part of the Bill has been introduced. I mean that relative to the preservation of life interests. I do not mean to assert that Her Majesty's Government, in so many words have said—"See how we have shown our generosity towards you in leaving you this;" but I wish to say that, in my opinion, there is a want of direct acknowledgment that in preserving those vested interests her Majesty's Government have done no more than a simple act of justice. I challenge any hon. Gentleman to adduce one sentence from any jurist or to supply a single statement from any historian or Statesman of authority relating to life interests such as those with which the Bill deals, and which does not speak of them as being as sacred and as inviolable as the fee-simple of any individual possessor. Sir James Mackintosh, a great jurist and a man of liberal and expanded mind, in discussing the propriety of the conduct of Henry VIII. with respect to the monasteries, and the way in which property of that description might be dealt with, said—"But it is an indispensable preliminary that life interests shall be protected and preserved sacred."—I mean, therefore, in the observations which I am about to make, to divest the question at issue of any considerations connected with the preservation of life interests as proposed by the Bill, for I cannot admit that the Government are entitled to claim the slightest acknowledgment from us on the score of generosity or liberality, because life interests are preserved. Sir, the principle involved in this Bill is the principle of voluntaryism; the State is to have no control over, and allow no endowment from public sources to any Church; each must be self-governed and self-maintained. And the question to be answered is not merely whether the question of the Irish Church demands legislation, but whether you will introduce voluntaryism as the guide of your ecclesiastical arrangements? True, the Bill is confined to Ireland, but will its principle be confined to Ireland? The right hon. Gentleman at the head of the Government asks the House to review our ecclesiastical Establishments in Ireland because the social position and endowments of the Established Church are the subject of jealousy to the sensitive pride of a majority of the Irish population. But if for that reason the ecclesiastical Establishments in Ireland are to be reviewed, how is Parliament hereafter to avoid taking the same course with regard to the ecclesiastical Establishments in Scotland and in this country? What is our position in Scotland? We have there an endowed Kirk, and beside it a Free Church nearly equal to it in point of numbers; and in addition we have the Dissenting Church of the Episcopalians, and the other Churches of the Presbyterians. I am not aware that a greater degree of contentment exists in the case of those Dissenting Churches in Scotland with respect to the endowment of the Kirk than prevails among the Roman Catholic and Dissenting bodies in Ireland in reference to the endowments of the Established Church. I will, in the next place, take the case of Wales. I have endeavoured to ascertain what are the statistics connected with the numbers of different religious denominations in that part of the kingdom, and I find that, beyond all question, Dissent there predominates. Lastly, I come to the endowed Church in England, which is, no doubt, the Church of the majority of the nation, but the minority of Nonconformists is very large in number and powerful in action—equally, it seems to me, if not even more hostile to the English Church than the Roman Catholics are to the Established Church in Ireland. A minority of this character, when it demands respect for conscientious scruples and religious equality, how are you to answer, if you concede these as your motives of action? If, therefore, for Ireland, in obedience to the demand of some 4,000,000 of people, we are to legislate, the sensitive feelings of Dissenters in Scotland and England may require that we should carry out the principle to its logical result, and that we should review our ecclesiastical arrangements in those countries also. Sir, it is the nature of a principle of action of universal application, when once adopted, to propagate itself and expand progressively. There is also a tendency in legislation to move in a path once entered upon. You will too, I think, find that there will be a disposition on the part of the people of Ireland, whom you are now despoiling of what they believe their rights, to endeavour to bring others into the same position in which they find themselves placed. I see indications of this already in Ulster. Do not then imagine that you can confine your views to Ireland. Everywhere this is a period of transition, and the future must depend upon the principles you now adopt, and in which your example will inevitably educate the public mind. Sir, at various times there have been various plans put forward in reference to the question at issue; but until the Resolutions of last year, never was the voluntary system suggested. In 1800 Mr. Pitt and Lord Castlereagh introduced into the Act of Union a declaration to the effect that the Protestant Episcopal Church of Ireland was to continue, and that it was to be one as regarded doctrine, discipline, and government with the Church of England. Mr. Pitt, however, proposed to accompany this Act with other measures. One was Roman Catholic emancipation, and the other was the endowment of the Catholic clergy and the elevation of their status. This policy of Mr. Pitt was again submitted to the notice of this House by Lord Francis Egerton in 1825, and being supported by a large number, including some of the most eminent Members of that day, the noble Lord induced the House, by a considerable majority, to declare that the State ought to make some contribution towards the maintenance of the religious teachers of the Roman Catholics in Ireland. In 1845 Sir Robert Peel again brought forward the subject in connection with the College of Maynooth, confirming, supporting, and with the weight of his great authority endeavouring to fix this policy on the mind of the public as the true policy to adopt. And not only was no measure in favour of voluntaryism introduced, but up to March last the voluntary system, as a means of maintaining the religion of Ireland, could not produce the name of any statesman as its supporter, except the right hon. Gentleman the President of the Board of Trade, or cite the name of a single great writer as its advocate. And when the right hon. Gentleman at the head of the Government comes forward and announces this novel policy we are led to inquire when he first gave his adhesion to it as the true mode of adjusting our ecclesiastical arrangements; and I find that in 1845 the right hon. Gentleman delivered a remarkable speech with reference to the Maynooth Grant, to which the right hon. Gentleman, in his Autobiography has referred back as the crisis of his political opinions and the exposition of the change in them. Now, having read that speech carefully, I think it points in the direction of the endowment of the Roman Catholic Church, and not of the voluntary system. If that is not so what did the right hon. Gentleman mean by telling the House—

> "I do not say that this grant virtually decides upon the payment of the Roman Catholic priests in Ireland by the State; but I do not deny that it disposes of the religious objections to that measure. I mean that we who assent to this Bill shall, in my judgment, no longer be in a condition to plead religious objections to such a project."—[3 *Hansard*, lxxix. 548.]

I have said that the voluntary system has no great name to support it but that of the right hon. Gentleman the President of the Board of Trade and those who have since followed him in upholding that policy. And I will now state another remarkable fact—not a single European nation has adopted it. Europe is at the head of the civilization of the world. It contains great varieties of Government, of religion; it contains Protestant States, Roman Catholic States, free States, despotic States; but in not one have you the voluntary system established or organized. Now, when a totally new line of policy is proposed for adoption, it is no immaterial fact to note that all the weight of statesmanlike authority and the practice of the most civilized Governments have been against it. Sir, the objections to the voluntary system have been repeated so often, both in this House and in the able treatises and pamphlets that have been published on the subject, that I shall sum them up very shortly. The voluntary system fails in providing permanence or universality of ministration, and tends to the deterioration of the quality of the instruction given. It fails to provide universality of instruction, because, as everyone knows, no one is the object of its care but those in whom it is pecuniarily interested; every teacher confining his attention to his own congregation, and leaving the mass of vice and irreligion which belongs to none, neglected and unnoticed. It fails in securing permanence because in periods of coldness and depression the voluntary system, which depends for its success upon the fervour of those who support it, becomes with them cold and apathetic, and inefficient. The more man needs, the less he seeks, the religious teacher. It fails in the quality of the instruction given because you make the teacher dependent on those whom he instructs; because you oblige him, in order to his own subsistence, to descend to their level rather than raise them to his. Able as the ministers whom it produces often are, very few of them are characterized by independence of spirit or elevation of thought. If the voluntary system is objectionable on these abstract grounds, it is peculiarly objectionable when you apply it to an old country. Every man is influenced by the circumstances of the country in which he is born, the system under which he lives, the character of the social life about him. The inhabitants of old countries are not brought up to meet the demands of ministers who give religious instruction in return for voluntary contributions. They have no organization for such a purpose; their habits are not trained to it, so that in an old country the natural difficulties inherent in the system are greatly increased by what has existed before, and the usages it has engendered. If, however, the system is objectionable in any country, I unhesitatingly say it is pre-eminently so in Ireland. What is the acknowledged tendency of the voluntary system? What do its advocates claim as a merit? That it increases religious fervour. Why, that is another way of saying that it magnifies theological differences, that it increases sectarian intensity, that it makes every sect an aggressor upon its neighbouring sect on the subject of religion. One of the greatest misfortunes of Ireland is the amount of theological controversy and strife that pervades it; and yet you are about, by the course you are now pursuing, to intensify that feeling. I agree with Archbishop Whately, when he said—"Introduce the voluntary system into Ireland and you will have two great camps with clerical sentinels pacing to and fro between them, to keep any man from straying from one camp to the other." There is a second reason why the voluntary system is peculiarly unsuitable to Ireland. One of its calamities is irremediable: I refer to absenteeism. From that country is withdrawn the social influence of large numbers of great landed proprietors, and their large incomes are expended elsewhere. Good landlords these absentee proprietors are, and admirable managers of their own estates; but not coming into contact with distress and suffering, they are not so ready to give to objects of general benevolence. Now, the tithe rent-charge is an indirect tax upon these absentees, and a sort of compensation to the country, by providing a resident clergyman. You take that away. It will go to increase the wealth of the absentees. But as they do not require the religious instruction of the clergy of Ireland, and do not come into personal contact with them, I have no confidence in their providing voluntary equivalent contributions to the Church. Sir, we have been told in this debate of the success of the voluntary sysem in the colonies. But is it certain there is a perfectly voluntary system in any of our colonies successful? I will first take Canada, and there the Church at this moment possesses a very considerable endowment. She possesses it in two ways; first, the capitalization of the life estates of the clergy under the Canadian Act, from which the idea in the present Bill is borrowed, realized, owing to peculiar local circumstances, a considerable property, not for individuals but for the whole clergy. This property is now funded for the Church, and owing to the high local rate of interest produces a considerable income. The second reason why the Canadian Church is not altogether dependent on the voluntary system is a matter that is often overlooked. The Clergy Reserves Act is not the only Act in Canada dealing with the Church. An Act of George III. enables the Crown to empower the Governor to found rectories and endow them with land and property quite apart from the clergy reserves. These rectories, or the property belonging to them, were never taken from the Canadian Church. I have endeavoured to ascertain their number. I find from Lord Durham's Report that they then amounted to fifty-seven; how many were afterwards created I do not know. I believe that Canadian benefices of every description now amount to about 400. It is stated by Mr. Hatch, the head of the College of Quebec, in his able article on the Canadian Church, in *Macmillan's Magazine* for October, that the Church land at Montreal has turned out most valuable. Another circumstance occurred in Canada to enable this plan to be successfully carried out there. Previous to the passing of the measure there had been meetings for years in anticipation of the Bill. No man who had read Lord Durham's Report, which was published years before the Act was passed, could fail to see that the clergy reserves would be dealt with, and in anticipation of it synods and meetings were held in Canada, by means of which large voluntary subscriptions were raised and accumulated for the benefit of the Church. But no matter from what cause, the Canadian Church at the present time is not in the position to which you propose to reduce the Irish Church—namely, a Church dependent entirely and solely on the voluntary system. With regard to Australia, I find that in the colony of Victoria there is an Act regulating the Civil Service Fund, and that out of £150,000 annually provided for the civil list £50,000 is devoted to the purposes of religious worship. The Colonial Office, in May last, furnished a Return of the incomes of the several Bishops in all the colonies, and it appears that the Bishop of Melbourne receives £1,000 a year, from the Public Worship Fund, and that other Australian Bishops draw a salary from the same fund. Australia, therefore, cannot be quoted as an instance of a country having a system of entire and pure voluntaryism; and even if it were, from inquiry I have made of persons who know it well, I should not be disposed to hold that the state of religion and of religious ministers there is an example for our imitation. Now, I take the United States of America, which I admit does present an example of a perfectly voluntary system. But what is the state of religion there? I will ask any hon. Gentleman who has read Mr. Hepworth Dixon's account to answer that question. [*Dissent.*] If Mr. Dixon's authority be rejected—still I say I am not aware of any real authority upon which it can be asserted that the state of religion in the United States—its influence upon the thoughts and habits of the people, its power as an instrument of moral elevation—are such as to recommend the introduction of the voluntary system into this country. It will, no doubt, be said—"Why do you refer to these countries, when there is an example of a voluntary system at home? The Roman Catholic Church in Ireland is wholly maintained by voluntary contributions, without the slightest aid from public sources." Sir, I have lived so long in habits of intimacy with the Roman Catholics of my country, that I shall take the liberty, on this occasion, of speaking with perfect freedom on the question. No man who knows me will suppose that in what I am about to say I mean any disrespect either to the Roman Catholic religion or to its ministers. But there are some matters connected with that Church which are not satisfactory, originating, in my opinion, in its being a Church dependent on the voluntary system, and which, I think, might be changed with great advantage to the country as well as to that Church. Exemplary as are the Roman Catholic clergy in Ireland, and zealous in the discharge of their duties, they are taken from a class of society to which I consider the supply of religious instructors ought not to be confined. It is a much wiser principle which provides that the religious instructors of the people should represent every class of the community, and should be on intimate and equal terms with every class; a principle which brings, in the language of Burke, the "mitred prelate into the palace and the humble teacher into the cottage." Among the parochial clergy of Ireland there are few of birth, or station, or high education. In the monastic orders, indeed, I have known several men of high birth and station, and some possessing considerable property. Now, what is the reason of this? I go abroad, and take the case of North Germany. I find there, among the Roman Catholic clergy, many persons of family and education, and it is the same with the other Continental countries. Then how are we to account for the different state of things in Ireland? Sir, persons of refined culture shrink from a system which obliges the exaction of minute payments from humble persons. Everywhere, I believe, this feeling prevails.

I believe that in all Churches the class of persons entering the ministry will deteriorate the moment they are placed in a position which obliges a subserviency of thought, and often arts and practices, which an eminent French writer characterizes as a system of ecclesiastical mendicancy. Voluntaryism, then, is in itself objectionable, and its introduction menaces all your religious Establishments. And it is this consideration that, in my judgment, makes the question before the House of enormous magnitude, and the measure now proposed the most important that since the Union has been submitted to the Imperial Parliament. Sir, I believe that the glory and greatness of England is mainly due to the incorporation of religious influence with civil government, which is known as the union between Church and State. I will not occupy the time of the House with any examination into this subject, for it has been treated, and like everything he touched exhausted, by my great countryman, Burke. We have consecrated our civil government by allying it with religion, and by so doing, we have infused into the whole mind of the nation a sense of duty and trust—every act, whether of State or of private concern, under the influence of this principle, becoming hallowed, as it were, and invested with a higher and better sanction. I need not remind the House of that magnificent passage in which he likens the English Constitution to the Temple at Jerusalem—"at once a citadel and a shrine: the home of national freedom and the abode of national religion." And, Sir, the right hon. Gentleman at the head of the Goverment, in language not less glowing, has pictured this union in works that will long outlive the ephemeral breath of the mouth. But he is unable now to realize the vision of his youth. The utmost he can give the parting illusion is the homage of his respect; and therefore, restraining the rudeness of his Followers, he exclaimed in the debates of last Session—

> "You do it wrong, being so majestical,
> To offer it the show of violence."

Sir, if we are to have an alliance of the supreme governing authority with religion, it must be with the Protestant Episcopal Church; for both the Roman Catholic and Presbyterian Churches repudiate State control and government, and here let me say that the principle of the union of Church and State introduced into the Constitution is perfectly consistent with the most generous and enlarged sympathies with every other form of religion. No higher authority for this can be quoted than that of the great man whom I have already cited, who declared that the State of England ought to be in cordial intimacy with the three great religious denominations that exist in the three countries, but in subordination to the legal establishments. Sir, I now come to consider in detail the Bill. Objectionable as I have endeavoured to show it to be in principle, I must say that its character is not palliated or softened by a single wise or statesmanlike provision to modify or qualify it. Earl Russell has placed upon record that the change proposed to be accomplished by the head of the Government ought to be effected with care, forbearance, and solicitude. But how has the Bill been framed to fulfil that requirement? What is left to the Church, or what is done for her? I put aside the provision for life estates, because I have already quoted the words of Sir James Mackintosh to show that in this nothing is done but what rigid duty demands. Well, what has been given to the Establishment? The churches. Yes, and you will find by the authentic Report of the Ecclesiastical Commissioners that, within no great number of years, upwards of £600,000 of private money have been absorbed by those churches, irrespective of grants from the Commissioners, and irrespective of the restoration of St. Patrick's Cathedral, and if you add that, confessedly those churches are unmarketable for any purposes whatever, we can estimate what there is of bounty and beneficence in this gift to conciliate the feelings of the Protestant Episcopalians in Ireland. The glebe houses! How are they dealt with? I understood the Prime Minister last year to promise them. In a speech, characterized by great ability and enlarged views, which the right hon. Gentleman the President of the Board of Trade made at Birmingham, there is a declaration tending exactly in the same direction as that in which I understood the right hon. Gentleman at the head of the Government to go—namely, that, as an act of generosity, these houses with their curtilages were to be given. But how do you now proceed to deal with them? A house, as every one knows, lasts only a certain period, requiring to be perpetually renewed or re-built. What is the result? The charges on the glebe houses in Ireland are found on examination to be—on the bishops' houses, £32,594; on the dignitaries' houses, £600; on the glebe houses of the beneficed clergy, £198,781; the total charge being £232,335. The Government says—Pay that, and you shall have the houses. And what are we to pay that for? The Church Commissioners were unable to ascertain separately the value of the houses and curtilages, for this reason, that they were obliged to take the valuation in whatever form it existed in the Poor Law documents and receipts. Occasionally, the Poor Law Commissioners valued the house and garden; occasionally they valued the house, garden, and demesne; at other times, they valued the entire farm, the house and garden, altogether. We, therefore, could not separate them. Now, what is the entire value of all that is in the hands of the clergy in Ireland? I am not now speaking of the mere curtilages, but of everything—houses, curtilages, gardens, farms, which ecclesiastical persons hold. Sir, the Poor Law valuation of all is about £50,000 gross, from which, if we deduct the poor rate, the county cess, and other charges, it will leave a result of £32,000 a year. The right hon. Gentleman does not propose to give us this £32,000 a year for the £232,335. No such thing. He proposes merely to give us the house and what he terms the curtilage around it; and I have no doubt that what he proposes to give us for that sum could be bought in the market for the same amount. Where is the generosity in giving that for which you take an equivalent? I now come to the third matter which the right hon. Gentleman puts forward as an instance of the large spirit that characterizes this measure, and which the right hon. Gentleman the Chief Secretary for Ireland dwelt upon with emphasis last night.—"We leave you," say the Prime Minister and the Chief Secretary, "the private endowments." See how generous that is. You remember that Henry VIII; founder as he was of the Reformation, did not do that? He made no distinction whatever between the endowments that came from private and those that came from public sources. "We," say they, "not following in the footsteps of Henry, are willing to leave you the private endowments." But how are they left? The most rigid legal test must be applied to prove them; they must be dealt with according to the strict rules of the Court of Chancery. And how do you further qualify, restrain, and abridge that gift? You refuse to include in it private endowments prior to 1660. What is the reason for the assignment of the date? I must say it is entirely a new discovery to me, and I may be supposed to have some knowledge on the subject of the relation of the Church of Ireland to the doctrine and discipline of the English Church; but to me it is entirely novel that the Church of Ireland first became in harmony and sympathy and union with the Church of England on the accession of Charles II. The right hon. Gentleman says, that previous to that time the Articles in Ireland differed from those in England. It is perfectly true that in 1615, in the reign of James I, Ussher, who was then Professor of Divinity in Dublin College, drew up Articles containing the doctrine of predestination more strongly and explicitly expressed than in the English Articles. Archbishop Ussher always asserted that those Articles did not differ from the English Articles; but that they stated the true doctrine of the English Church. In that he was wrong, because the English Articles were drawn with the design of embracing as well the opinions of Calvin and Augustine as of the opposite school of theology. But it is not true that you could not be a member of the Church of England and hold every Article that Ussher held. But what is the fact about those Articles, even historically? When Strafford came to Ireland, he opened a correspondence with Archbishop Laud about them. The result of that correspondence with Laud, whose views were directly opposed to those of Ussher, was, that Strafford objected to the Articles, and in 1634, mainly by the influence of Archbishop, then Bishop, Bramhall, a canon was passed, declaring that the Articles of the Church of England were the Articles of the Church of Ireland, and from that day to the Subscription Act, not the Thirty-nine Articles, but the canon of 1634 was subscribed by every person ordained to Irish Orders. Why is 1660 to be adopted as the date, whilst 1634, even if you proceed according to the result of this theological inquiry, is in point of history and of fact, the date of the adoption of the precise form of the English Articles? I would remind the right hon. Gentleman (Mr. Gladstone) of one incident in literature, which he with his vast reading and knowledge must be acquainted with. That is, that when Jeremy Taylor came to preach the funeral sermon of Archbishop Bramhall, he said that from the date of that canon the Churches of England and Ireland were *unius labii*—of one heart and one mouth. But why enter on such an inquiry at all? Where will it lead us? By the 13 *Elizabeth*, as has been pointed out by the Dean of Westminster, what is provided in England? Clergymen not episcopally ordained were admitted to benefices in the English Church on subscribing, not the entire, but a portion of the Articles, and Presbyterians held benefices prior to the reign of Charles II., within the Church, and until the reign of Charles that practice was continued. Are you prepared to adopt the principle that the Church of England exists only from the reign of Charles II.? But, Sir, I am not disposed, no matter what the date you give, to allow that the gift of private endowments is anything demanding an acknowledgment on our part. There is not the slightest doubt that there are vast private endowments in Ireland, but how are they to be proved? Where are the deeds? There is no register of deeds in Ireland beyond the reign of Queen Anne, and the records of the Church registers have not been carefully preserved. How, then, are you to enter into an inquiry on this subject? You have no means but by the statements of contemporaries such as the sermon preached by Jeremy Taylor at Bramhall's funeral; and yet all claims to private endowments are to be put to the strictest legal proof. I endeavoured in the Church Commission to ascertain as far as I could what private endowments there were capable of being proved by deeds in Ireland, and what is the extent of them? In Table XXXIII. of the Appendix to the Church Commission Report, you will find the annual income from private endowments. It amounts to £6,330. These are recent endowments, under Acts of George IV., William IV., and Victoria. In Table XXXIV. you will find the gifts of several Bishops stated; but with these exceptions we were unable to obtain legal proof—that is proof by deed—of private endowments. Therefore, if the rule is to be rigid, legal scrutiny, I controvert the estimate of the right hon. Gentleman when he says that £500,000 will remain to the Church. These endowments were given; they were not intended to be recalled, and there are no deeds of any kind beyond a given date, and the consequence is that in those prior to that date there can be no deeds of gift forthcoming. You hand them back again private endowments, most of them of recent date, guaranteed by the sanction of your own Acts of Parliament; you give those five or six gifts of Bishops, but what have you done for the institution? Absolutely nothing. Now I come to your conduct to the laity. I do not regard this Bill as dealing at all in a generous spirit with the laity. The landlords of Ireland are about to have placed upon them a very large tax—the indispensable necessity of meeting the demands of their Church and the support of their minister, and I say that such a change ought to have been accompanied by the greatest tenderness and bounty shown to that class. So far from being liberal, you are not even just. The landlord of Ireland, on paying the tithe rent-charge, is entitled to deduct from the clergyman the full poundage of the poor rate. I have ascertained the amount of this poundage for the year 1866, and out of £367,000, the gross amount of the tithe rent-charge paid in that year to the incumbents, how much do you think was deducted for poor rate? Why, £19,000. So that the landlords have been accustomed to have a proportion of about one-twentieth of the poor rate paid for them by the clergy. But when you come to deal with this matter in the Bill, you ignore this circumstance altogether, and you charge them upon the whole gross amount of rent-charge without the slightest deduction for poor rate. Now mark. If you were to attempt to sell this property in the open market to me or anyone else, I would buy it at so much less, and with a deduction of one-twentieth part of the price. Then, again, the arrangements for lending money and requiring the repayment of both principal and interest in the present generation is not advantageous under the circumstances. What would be the effect of that arrangement? You take the principle adopted by the Board of Works, which obliges the present generation to pay principal and interest for the benefit of a remote posterity. What do you do for the landlord? You throw upon him the whole burden of the Church, which must now be maintained by voluntary contributions. You throw upon him the burden of maintaining the glebe houses and lands, with a charge upon them of £232,000, and you burden him with the re-payment of both principal and interest in the present generation, for a benefit which will be first realized at the end of forty-five years. If a benefit was to be conferred upon the land, it would have been better to give it at once, and let the present landlords, who must found a new provision for their Church, receive the advantage. Sir, I now come to the capitalization scheme in the Bill, and I say it is a scheme that cannot succeed. The plan is that you ask the clergy to give up their Church livings for the capitalized value of their incomes. But you do not furnish the Church body with a pecuniary guarantee from the State—you do not give them an independent fund at the back of the capitalized value to make the security perfect—you calculate the exact mathematical value of the life income and by the rigid rules of an actuary or a notary. If your calculation is correct it will exactly exhaust the life interests of the clergy; if it should turn out to be incorrect—and let me tell you that the clergy are not remarkable for the brevity of their existence—if that should happen, the whole capitalized value would be gone, and the longest livers of the clergy would be left without the slightest fund to draw upon. The whole of this might have been obviated had you placed at the back of this fund a large and substantial sum by way of guarantee for the permanence of the interests and for the security of the institution in its financial engagements. Sir, I do not enter into the clauses relating to the constitution and self-government of the future Church further than to ask in what position do you place the Sovereign by this scheme? Observe, you do not repeal the Acts of Henry and Elizabeth, and the whole code asserting the Royal Supremacy. In the language of those Acts Her Majesty is and continues to be the Supreme Head on earth of the whole Church of Ireland; enjoys the title and has the whole state, honour, authority, and jurisdiction of that title. You retain the title but you take away the power. You proclaim, indeed, her authority, but you take her subjects away and "place a barren sceptre in her hand." Yes; there is one power you do allow her—the power of recognizing and incorporating the new Church body, if you can come to an agreement with that body. That, and that, alone is preserved. There are also certain defects in the powers enabling persons to endow, but I will not go into these at length, because I understand that the right hon. Gentleman at the head of the Government, and the right hon. Gentleman the Chief Secretary for Ireland, whose courtesy and fairness in addressing the House last night I desire, on the part of the Church, to acknowledge —I understand they invited suggestions in reference to these portions of the measure, and as these do not involve political questions and they relate to the organization of the Church, I think an agreement ought to be come to upon them. I may say, however, that I consider the present clauses defective, as they are not sufficiently enabling and affirmative. They do not adopt the language used in relation to the colonial Churches —they simply remove legal penalties for meeting in Synod. Sir, I now ask what will be the result of this Bill if it be carried upon the social and religious condition of Ireland? I desire to answer this question fairly, and I say I feel grave doubts whether the new Episcopal Church of Ireland will be successfully organized. I doubt, unless the provisions of the Bill be greatly altered, whether that Church will be adequately endowed. I also doubt whether the Presbyterian Church will be adequately endowed and sustained on the voluntary system, and for this reason—that as they are, with an income from the State, they have made repeated demands for increased assistance. I doubt whether the Royal College of Maynooth will be continued in the pecuniary position in which it ought to be. And why do I doubt that? The sum which the right hon. Gentleman estimates for Maynooth is about £400,000. The interest of that in the funds will be

£12,000. Up to 1845, the sum voted for Maynooth was £9,000. What was the condition of Maynooth in 1845? In that year Sir Robert Peel read a Petition signed by twenty-two Roman Catholic Bishops, containing the following statements:—first, that the professors were inadequately paid; second, that there was a debt on the College of £4,600; third, that they were obliged to send away their students for a considerable portion of the year, as they were unable to maintain them; fourth, that they were obliged to send out the students only half-educated, to enter on the work of the ministry; and, fifth, that there was an insufficient supply of clergymen for the Roman Catholic Church, You had then Maynooth fifty years in existence upon voluntary contributions, with £9,000 a year from Government. What will take place now under the voluntary system, with a greatly increased population, an increased demand for ministers, and a higher standard of education, and only £12,000 a year from public sources? You will have the same results, and these results will issue in general discontent. Why, you are at this moment obliged to admit that Maynooth is in debt, with her present endowment of £26,000 a year, and the Government is obliged to pay her liabilities to the Board of Works. I will go further. From all I hear, I believe that the standard of education at Maynooth requires to be improved and elevated, and that an increased not a diminished endowment is what the circumstances of that College demand. I say, therefore, that your scheme, your new policy, is a policy that will fail in the instance of every one of the religious bodies to which it is applied. I say it is singularly ungenerous to every system, and to every creed; and when I say this, I am reminded of a test which has been more than once suggested for philosophical principles. Do they breathe of what is elevating, of what is generous, of what is liberal, or are they restrictive, harsh, and severe? I propose this test to you as still more unerringly applicable to political measures; and I pronounce of this Bill — *nil generosum, nil magnificum sapit*—nothing is constructed, nothing is raised, nothing is benefited; all is proscribed, despoiled, and degraded. Sir, if this be so, if this be a true description of the measure, was not the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) justified in asserting that the inevitable result of this policy must be general discontent? The clergy will be discontented because the sources of emolument have been taken from them. The laity will be discontented because new and additional burdens are imposed upon them. Increased religious differences will spread. Increased bitterness of feeling in respect of them will spread. I have read a little of theology, and there is one maxim that I have found in every theological writer, and that is an invincible determination to view the withdrawal of property once consecrated to religious purposes and its conversion to secular uses as utterly unjustifiable. I am not aware of an exception, from the day when Archbishop Whitgift told Queen Elizabeth that the recipients of ecclesiastical property were the eagles in the fable who carried home a prize with a burning coal within it that would consume their nests—down to Pope Pius IX., who has denounced the sacrilegious Governments of the Continent that have confiscated Church property. But are these views peculiar to ecclesiastics? Let any man examine the discussion of Sir James Mackintosh with respect to what took place in the time of Henry VIII. regarding the monasteries, and he will see how difficult it is to reconcile with the strict principles of justice the appropriation of Church property. Even Henry VIII. never confiscated without paying homage to this principle. In his Acts he recites that the monasteries voluntarily surrendered their houses and lands. This objection you too seek to mitigate in your Bill by giving the surplus to charities, a destination with somewhat of a religious character. Sir, I repeat that there will be universal discontent. For the moment the Roman Catholic clergy are appeased, because their rival is dethroned. And do you imagine that you can found permanent gratitude and friendship on such feelings? No; they will attribute the fall of the Establishment to your respect for Nonconformist opinion, and to your enmity to their Church, the secular destination of the property. Sir, the care of lunatics, the maintenance and reformation of juvenile thieves and misdoers, and the relief of persons afflicted with unavoidable suffering — all these are undoubtedly excellent objects, but there is one evil consequence that follows large endowments of this character not raised by taxation, and that is that the demand increases with the supply; and as we have now two great reformatories for male and four great reformatories for female juvenile offenders presided over by Roman Catholic ecclesiastics and religious bodies, I believe that these institutions will hereafter four-fold multiply, and increase. And so as to all your other charitable objects; while the landlords and occupiers of land will find that the great boon of the relaxation of the county cess means payment as it existed before, with supplemental aid for expanded demands. The county rates will remain as high and as oppressive as ever. Sir, I believe that a great shock is given to the feelings of the community in respect of property by this measure. The reverence for its sacred inviolability is rudely touched. I am aware of the distinctions between private property and property public in its sources and objects which have been drawn by Sir James Mackintosh, Earl Russell, and Hallam. Are you yourselves quite satisfied with those distinctions? But even if you are, neither Sir James Mackintosh, nor Earl Russell, nor Hallam, were ever consulted by the mass. It is idle to tell them of those theories. It is idle to say that corporations are different from individuals, or that the tenure is other than an individual tenure. These ingenious distinctions are too subtle—are immeasurably too subtle—for the Irish farmer or peasant. The plain facts suffice him—the Protestant Church acquired its property by the Act of Elizabeth, by the grants of James and Charles; the Protestant landlords acquired their property by the Acts of Settlement and the Patents of the same James and the same Charles. A breath has made both, and a breath can unmake both. The consequence will be that he will better the instruction given him, and fortified by the precedent set him, he will demand to be restored to those lands which he will believe to have been unjustly taken from him. Sir, it is for these reasons that I oppose this Bill; no message of peace and conciliation, no source of harmony and agreement among all classes, rather the fountain of discontent, of dissension, of general dissatisfaction, and a precedent for organic changes of even more dangerous consequence. But while I oppose it, I disclaim any want of sympathy with my Roman Catholic and Presbyterian brethren. I disclaim the slightest disrespect to their systems of religion. I believe the maintenance of an Established Church consistent with the most liberal appreciation of their claims. I derive assurance for that belief when I find it shared by every great Statesman of the past. Yes, ours is no new policy, born of the exigency of the moment. The marvellous wisdom of Burke, the presiding and commanding genius of Pitt, the vast political experience and sagacity of Peel, have alike sanctioned it. Supported by their authority, feeling confident that the principles by them transmitted are as just as they are expedient, we defend the institutions which they upheld, and refuse to abandon the most sacred and venerable of them all in the hour of its danger and its need.

The ATTORNEY GENERAL for IRELAND (Mr. Sullivan) said, he could not but congratulate his learned Friend on the speech he had just addressed to the House. If the Church of Ireland had before wanted a defender, she had found one now in the person of his learned Friend the Member for the University of Dublin. But, remarkable as that speech was, it was as remarkable for what it did not say as for what it did say, and one of its most remarkable features was that the grounds taken by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had been totally abandoned by his learned Friend. The property of the Church was defended by the right hon. Gentleman the Member for Buckinghamshire on the ground that it was religious property vested in the Church as a corporation charged with a trust of an unequivocal and unalterable character; while his learned Friend who had last addressed the House had totally abandoned that ground, and rested his defence of that property upon this, that it was of the nature of private property, devoted originally to the maintenance of an Establishment that was necessary for the religion of the individual and for the exclusion of the voluntary system, the tendency of which was to degrade and lower. ["No, no!"] He said so most distinctly, because he had still the eloquent language of his learned Friend ringing in his ears—language in which he had described the lowering and depressing effects of the voluntary system, and the exalting character of the benefits which the Established Church would confer. And how did his learned Friend attempt to prove his case? He said that they would not find voluntaryism in any country in Europe, and was England, therefore, to adopt it? But if he (Mr. Sullivan) had learnt one thing from the history of England, it was that her proudest boast had been that she had not followed in the track of other nations; but that, when any portion of the country suffered from any system, whether theological or social, her aim was to establish equal justice and equal laws. Why was it that the Established Church in Ireland had been assailed in modern times? His learned Friend who had just spoken had said that until a recent period no Statesman of eminence, with the exception of one, had taken up the theory of destroying the Established Church and substituting a voluntary system. But had there been a man of education in Ireland — had there been many in England—whose attention had not been called during the last twenty-five years to the anomalous, extraordinary, and indefensible position of the Church Establishment in Ireland? And if the Church as established had failed what did the argument of his learned Friend amount to but this, that the property of the Protestant Church should be transferred to the Roman Catholic? Because if voluntaryism was not to be the system, if the Established Church of the minority had wretchedly failed, as it had been demonstrated a hundred times before to have done, what was the alternative left but the transfer of her power and her property to the Church of the great majority of the Irish people? But so far from the peasantry of Ireland regarding that Disestablishment Bill as a means of ultimately attacking the property of the landlords of Ireland, he had observed the attitude of calmness and self-denial they had assumed on that question. The Irish Roman Catholics repudiated the notion of sharing the property of the Established Church; and although the influence and the wealth of that Church had been used in maintaining a cruel domination over them for centuries, they now asked only to be put upon an equality with its members, and craved for no ascendancy. That ought to be an encouragement to every man in repelling the argument that that Bill would be but the commencement of a series of measures of spoliation directed against the land of Ireland. With the greatest possible respect he must say that was one of those wretched arguments which appealed simply to the prejudices of Gentlemen sitting behind his right hon. and learned Friend; and those who adopted that argument themselves paved the way for making the disestablishment of the Church, or any similar measure, a mode of aiding such subversive propositions if ever they should be brought forward. Then his right hon. and learned Friend said that voluntaryism was never known in Ireland. But did he not thus ignore his Roman Catholic fellow-countrymen, who had supported their religion by that system ever since its property had been taken from it and devoted to Protestant uses? His right hon. and learned Friend said that the Reformation really made no difference in substance in the possession of these endowments. Why, if there was one great historical truth clearer than another it was this,—that none of the Roman Catholic Bishops in Ireland, save perhaps one, adopted the Reformed creed, and that the Protestant religion was forced upon Ireland as a conquered country, against the will, the belief, and the conscience of the people. One of the ablest of modern historians, Mr. Froude, who had investigated the matter with the greatest care, speaking of the Government of Queen Elizabeth, used this language—

> "Before the Government attempted to force religion upon the country, which had not a single honest advocate in the whole nation, there was no dishonesty. If she had left them their lands, if she had left them their creeds, they would have willingly acknowledged her supremacy. She could not bring herself to believe that in Ireland, where there were no Protestants, a different state of circumstances did not exist from what prevailed in England."

Therefore his right hon. and learned Friend's argument, if worth anything, amounted to this,—that they must take that property away from the Protestant minority and transfer it to the Church of the Roman Catholic majority, who wisely and firmly rejected it. Then, it was urged that the grant to Maynooth and the *Regium Donum* were all to be viewed in the light of establishment. And here he might ask whence had come his right hon. and learned Friend's newborn zeal for the Maynooth Grant? Did his right hon. and learned Friend forget the body which he represented? Did he forget that as long as he had a small spark of Liberalism left in him, he was rejected by that University? It was not until he had recanted all his Liberal principles that constituency returned him. The representatives of Dublin University had always offered the strongest opposition not only to the Maynooth Grant, but to every measure for relieving the Roman Catholics from civil disabilities, galling oaths, and offensive declarations. And why, forsooth, did his right hon. and learned Friend now admit the Maynooth Grant was too small? Because he thought that Trinity College trembled for its own existence; and believed that by giving increased grants to Maynooth and to the Presbyterians the magnificent endowments of the Protestant University and the Protestant Established Church in Ireland would be rendered more secure. That reminded him of the Eastern warriors who were chained to their cannon in the day of battle. Sometimes they sought that position through fanatical zeal, which was not his right hon. and learned Friend's case; in other instances they were put there and compelled to do what they did not like. His right hon. and learned Friend had referred to the speeches of the First Minister of the Crown and of Sir Robert Peel upon the Maynooth Grant; but it might be asked had his right hon. and learned Friend read the speech made on the selfsame occasion by the right hon. Member for Buckinghamshire—a speech in remarkable contrast with the exalted notions as to the hallowed influence of the union of Church and State expressed by that right hon. Gentleman last evening. In the celebrated debate on the Maynooth Grant, to which reference had been made, the right hon. Gentleman opposite (Mr. Disraeli) said—

"I have unfaltering confidence in the stability of our Church; but I think that the real source of the danger which threatens it is its connection with the State, which places it under the control of a House of Commons which is not necessarily of its communion. Leave the Church to herself and she will shrink from no contest, however severe. I believe that in Ireland if the question is—'Will you sever the Church from the State, or will you endow the Roman Catholic Church?' for my own part I believe the Protestants of Ireland would say—'Sever the connection.'"—[3 *Hansard*, lxxix., 560.]

"Under which King, Bezonian?" And that was the opinion then entertained by the Protestants of Ireland. They never would have consented to the endowment of the Roman Catholic clergy—they abhorred the notion of the endowment of Roman Catholicism as a State Church. And yet now, when the Established Church was in danger, they, for the first time, professed a liberality which they had never shown before, and as a bulwark to their own Church they were willing to place the Maynooth Grant and the *Regium Donum* on a better foundation. Now, he denied *in toto* that the effect of a disruption of the union of Church and State was to lower the character of a clergy. Having himself lived for many years in social intercourse with Roman Catholic priests, especially in the South of Ireland, he could say that, though not born of the aristocracy of the land, there were among them accomplished scholars and gentlemen, animated by an earnest zeal for their religion; and a more moral priesthood than the spiritual teachers of the Irish Catholics could not be found in Europe. The piety and religious fervour of their flocks, too, might be judged of by the manner in which their chapels were attended, alike at early morning and when the shades of evening fell. And how was all that brought about? Not by a clergy supported by rich endowments and ministering to the wearers of purple and fine linen; but by devoted pastors, maintained by the voluntary contributions of a humble peasantry. Well, what had been the result of the union of Church and State in Ireland? The right hon. Gentleman (Mr. Disraeli) told them that in England they had had 200 years of unbroken serenity, during which religious liberty had been asserted and enjoyed. But how were those 200 years spent in Ireland? The Irish statute book, which no right-minded man could read without burning shame, supplied the answer to the question. One of these statutes enacted that for every converted Popish priest in Ireland £20 a year should be levied on the county, like the grand jury or county rate; another offered a reward for the discovery of any one who was found practising the Popish worship. A Papist could not succeed to property, and the result of that system was that they had 600,000 and odd Protestants of the Establishment now in Ireland, side by side with about 5,000,000 of Roman Catholics. But what was the state of the relations between the Roman Catholics and the Established Church in that interval? In 1745 they found even the then Lord Lieutenant addressing the Irish Parliament in terms like these—

> "The measures that have been hitherto taken to prevent the growth of Popery—which I hope have had, and will still have, greater effect—I leave to your consideration. I ask whether nothing, by new laws or by the more effectual execution of those in being, can be done to secure the nation against the great number of Papists, whose speculative errors would only deserve pity if their pernicious influence on civil society did not require the exercise of authority to restrain them?"

The 200 years of which the right hon. Gentleman opposite spoke certainly were 200 years of the very opposite of political serenity and religious liberty in Ireland, whatever might have been the case in England. It was towards the end of the reign of George III. that any hope was held out to the Irish Roman Catholics. It had been said more than once that no comparison could be drawn between the Irish Catholic priests and the clergy of the Establishment. But he would remind the House that the Catholic Church in Ireland, although a voluntary institution, had raised magnificent churches, supported noble charities, and maintained the priests. It was unfair to judge the clergy by an expression heedlessly used by some individual priest; but, taken as a whole, he believed that the priesthood of Ireland would compare favourably with any body of clergy in the world. He did not wish to speak disrespectfully of the Protestant clergy of Ireland, but was it a satisfactory state of things for twelve Bishops to enjoy an income of £50,000 a year, and many rectors £400 or £500 each, when their congregations could be numbered by units. Was it not cruel and barbarous that, by mere right of conquest, we should force the Protestant Establishment upon the Roman Catholic population of Ireland? One of the peculiarities of ancient Rome was that her victorious armies respected the religious feelings of the countries they invaded, and allowed the conquered to worship their own gods at their accustomed altars; but England had acted towards Ireland on a totally different principle. The dreadful policy of Elizabeth and William III. would not leave the Irish people their rights as free citizens unless they conformed to a religion in which they did not believe. On the passing of the Relief Act in 1829 the Catholics were, to a great extent, restored to the rights and liberties which their Protestant brethren enjoyed, but still certain offices were closed to them, as they could only be held by persons who made declarations to the effect that the worship of the Church of Rome was idolatrous and superstitious. Of course, however, the Catholic population felt themselves insulted by the retention of these needless and absurd declarations and oaths. The adoption of the principle of ascendancy had been the vice and ruin of the Establishment in Ireland. There could not possibly have been a more favourable time than the present for bringing forward this measure, and on this point what higher authority could he cite than that of the right hon. Gentleman the Member for Buckinghamshire. In the year 1844 the right hon. Gentleman expressed the following opinion, which was none the worse because it was delivered so long ago. He said—

> "He never believed that Ireland would be a great difficulty, because he felt certain that a Minister of great ability and of great power would, when he found himself at the head of a great majority, settle that question."—[3 *Hansard,* lxxii. 1010.]

And what was the right hon. Gentleman's notion of settling the difficulty? These were his words—

> "Justice to Ireland was then said to mean an identity of institutions with England. He believed that to be the greatest fallacy that could be brought forward. He always thought that the greatest cause of misery in Ireland was the identity of institutions with England. Surely we had given them similar institutions more than enough. How could people ask for an identity of institutions when the most important institution of all—the union of Church and State—was opposed by the Irish people?"—[*Ibid.* 1011.]

And when the subject of municipal corporations was brought before the House the right hon. Gentleman said—

> "Instead of the institutions of the two countries being identical, they ought to get rid of all English institutions in Ireland which had been forced upon the country. He ventured to lay it down as a principle that the Government of Ireland should be on a system the reverse of that adopted in England, and should be centralized. We should have a strong executive and an impartial administration."

And yet the right hon. Gentleman said last night that the Established Church in Ireland should be maintained because it was a local means of governing the country. The right hon. Gentleman advanced the argument that Ireland was destroyed by an absentee proprietary, and that the effect of the Bill would be to drive from the country a resident Protestant gentry. Well, no man who had travelled in Ireland, especially in the North-western counties, but must have noticed the great contrast between the mansion houses in which the Protestant clergy resided and the humble dwellings of the Roman Catholic clergy. Then on Sundays thousands of persons might be seen on the most lonely mountains and bogs going to worship in the Catholic churches, while two or three favoured persons assembled in the pews of the Established Church to hear the prayers read by a clergyman who received his £200 or £300 a year for performing that duty. All these things made the contrast a very striking one, and must surely have a very bad effect on the people. The right hon. and learned Gentleman opposite (Dr. Ball) was one of the four Irish Church Commissioners, who in their Report recommended that in parishes where there were fewer than forty Protestant inhabitants the benefices ought to be suspended or suppressed Now, the results that would follow the carrying out of that recommendation would be very astounding. In the diocese of Lismore there were forty-two benefices at the present time, nine having been suppressed under the Church Temporalities Act; but if the recommendation of the Commissioners were carried out no fewer than twenty-one benefices out of the forty-two would be suspended. One benefice contained 11,260 acres, yet there were only ten Protestants. Another had 16,000 acres, with thirty-five Protestants; and a living near Cork with 18,900 acres, and yielding an income of £878 had thirty-five Protestants. The Commissioners, when they recommended that all benefices in which there were not forty Protestants in the parish should be given up, virtually gave up the whole case of the Irish Church Establishment. Why was it proposed to reduce the number of Bishops by four and the number of Archbishops, as had been recommended, by one, unless it was evident to every reasonable man that the Irish Church Establishment could not be maintained on any principle of justice? That Establishment had an opportunity in its recent history of regaining its position when the great measure of national education had been passed for Ireland, and it was open to its ministers to co-operate with the Roman Catholic clergy in the instruction of the youth of that country. Of that opportunity it had not, however, availed itself, on the miserable pretext that the whole of the Bible was not permitted to be read in the national schools. Such was the course pursued by a Church endowed with large funds for the benefit of the community! She abandoned her position as an Established Church and afterwards complained that the national education had been placed entirely in the hands of the Roman Catholics. His right hon. and learned Friend the Member for the University of Dublin (Dr. Ball) complained that very little was done for the Irish Church by the present Bill; but he should bear in mind what was the scope and object of the measure. It was a measure not for the establishment but for the disestablishment of that Church. It was said that the measure treated the Church with great hardship in taking the epoch of 1660 rather than an earlier one, as that at which the validity of private endowment was to be respected. He affirmed that no man could put his hand upon any endowment of the Irish Church before 1660. If anybody could have done so his right hon. and learned Friend (Dr. Ball) would have done so. It was said that the Bill would take away some of the endowments that Archbishop Bramhall recovered for the Church; but he could not accept the view of the Irish Church before 1660 put before the House by his right hon. and learned Friend. The Roman Catholic Church made a tremendous struggle for property in the time of Charles I., and the state of the Irish Church before the Restoration was one of wild confusion. He must therefore contend that the year 1660 was an intelligible date on which to fix, and the more the matter was examined the more it would appear no wrong or injury was done to the Establishment in Ireland by taking that date. Again, his right hon. and learned Friend objected to the provision requiring that private endowments should be proved before the Court of Appeal in Chancery; but before what other tribunal, he should like to know, was that to be done? As to the objection that the Bill did not prescribe the mode in which the new constitution of the Church was to be brought about, he would merely observe that it was not for the State to suggest what steps the Church should take with that object. If the State were to lay down any rules on the subject, his right hon. and learned Friend might very well turn round on the Government and say that they were adopting a very tyrannical policy in not only disestablishing and disendowing the Church, but in dictating the course which it should, under those circumstances, pursue with reference to its own re-organization. If there was any one position in connection with the Bill which was capable of being more strongly maintained than another, it was that it left to the Church perfect freedom of action. The Government said—"We do not stand in need of your co-operation to accomplish the object which we have in view; but if you are ready to comply with the provisions of this measure, we will act with you;" and he could not but think that there were many wise and intelligent men among the clergy of the Irish Established Church who would not adopt the advice of the right hon. Gentleman the Member for Buckinghamshire, and refuse the co-operation which they were invited to give, but who would make up their minds to meet the inevitable, and do their best, under the circumstances, by availing themselves of the facilities which would be placed at their disposal to promote the interests of the religion which they professed. But how were the clergy of the Established Church to co-operate with the State, asked the right hon. Gentleman? There were ten Bishops and two Archbishops with an income equal to £50,000 a year at least, besides an army of rectors enjoying incomes of £700 or £800 a year, and having little or nothing to do. How, he should like to know, could they employ their time better than in re-organizing the Church. Could they not employ a few hours a day for a few months in so useful a work? For his own part, he believed the clergy of the Established Church loved their faith too well, and were too deeply impressed with the truth of their religion, to refuse to accept the mission which lay before them in vieing with their Roman Catholic brethren and with each other in the endeavour to spread education in Ireland, and to imprint a religious tone on the minds of the youth of that country. It had been, he might add, urged in opposition to the Bill by the right hon. Gentleman the Member for Buckinghamshire that it would give all the property of the Church to the landlords in Ireland Now, he denied that the landlords were bribed to acquiesce in the Bill; they had only been dealt with in respect of the tithe rent-charge upon fair and reasonable terms. But the right hon. Gentleman's objection had been answered by his right hon. and learned Friend the Member for the University of Dublin, who said that the Bill would give the landlords nothing at all. The fact was that the property of the State was not vested in the Church as a corporation; there was no such thing as a Church corporation. The Church consisted of an aggregate of corporations for the more easy holding and transmission of property which, having been granted for the maintenance of a State religion, might, without injustice, be resumed by the State through its Parliament whenever the public welfare demanded the adoption of that course. To contend that funds of that description were private property was a misuse of the term, and he denied that the Bill interfered in the slightest degree with the foundations of private property. He would repeat that the hour was most auspicious for the passing of the measure. The appeal to the verdict of the country, which the right hon. Gentleman the Member for Buckinghamshire had over and over again in the course of last Session announced it to be his intention to make, had been fairly accepted and completely answered. It now only remained for the House to send forth a message of peace to a people who never refused to respond to acts of justice and good-will. By destroying Protestant ascendancy they would confer an immense boon on Ireland, and one that would be duly appreciated. An hon. Member had said, he could not understand what was meant by Protestant ascendancy. He (the Attorney General for Ireland) answered—Let them but come from their lordly homes in the North to the South, and see the contrast which was presented, and then let them tell him whether they did not understand Protestant ascendancy. In his heart he believed this measure would ultimately tend to the advantage of the Irish Church itself. It would be received with gratitude, and they might rest assured that it would not be followed by any extravagant ideas as to its effect on private property.

Sir **FREDERICK W. HEYGATE** said, he wished to assure the House that the Irish landlords still adhered to their opinion that this was an unjust measure; and they were not at all tempted by the bait which was held out to them. It was said that the country had arrived at a verdict upon the subject; but this had not been arrived at after a careful inquiry into the matter, but simply for the purpose of obtaining a political result. He wished to examine the question not in reference to its bearing upon one political party or the other, but in reference to its bearing upon the happiness and prosperity of the country. What struck him in reading the Bill was that it was not a Bill to provide for religious equality, but rather an elaborate scheme for the re-construction of the Irish Church, and it seemed to him that after some years they would arrive at very much the same point from which they had set out. It appeared to him also that all the advantages that it was supposed that the Bill would give might just as well have been attained by the proposition of the right hon. Gentleman the Member for Buckinghamshire last year that there should be a severe reform of the Irish Church. It was in vain to expect that this measure would give satisfaction to any class in Ireland. Bishop Moriarty, in a remarkable letter to *The Times*, protested against the Church of Ireland being allowed to hold as a corporation any property whatever; and the Presbyterians also were not satisfied. At a meeting of Presbyterians last week, the speakers one and all said that the Government, if they carried the measure in its present form, could not expect to have the support even of the Liberal Presbyterians; and unless it were amended then, as far as the Presbyterian claims were concerned, it could not be regarded as a final settlement. At another meeting of the same kind in Belfast it was stated that the proposal of the right hon. Gentleman would, instead of £75 a year for each minister, give them only £36, whilst the claims of theological students were entirely overlooked, and it was added that this was a pretty return for the services of the Presbyterians in co-operating with the Ultramontane party for the support of the present Government. Those utterances showed what might be expected hereafter. He would go a long way in approving any plan, though it might even be harsh in its application to individuals, if it promised good results to the community. But how would this measure work? It was said that the property of the Church originally belonged to the Roman Catholics; and, therefore, that it was a burning shame that it should remain in the hands of Protestants. One injustice, however, should not be cured by committing another, and the laity ought to be considered as well as the clergy. But while the Government proposed to compensate ministers for their life interests, their flocks were quite forgotten. Another reason given for the Bill was that the Church was a failure; but surely it could not be considered as a failure in every part of the country. In Ulster the Church congregations averaged about 540 persons in number, whilst the pay of each clergyman very little exceded £300 a year, and this being so why should so sweeping a measure be applied to the whole Church of Ireland? The attention of the House had already been called to the fact that the chief property of the Church in Ulster had never been the property of the Roman Catholic Church, and it was an undoubted fact that that property had been forfeited by the repeated rebellions of the great chiefs, and had then been given to the Church. The Chief Secretary for Ireland objected to the Church of Ireland being considered in the light of a colonial Church; but he (Sir Frederick Heygate) contended that, in almost every point of view, the plantation of Ulster was nothing more nor less than a colonial Church, and that the Scotchmen and Englishmen had peopled it under circumstances entitling them to the continuance of their Churches. Hon. Members would, he thought, be impressed with the fallacy in the Ministerial scheme which treated the clergy as though they alone represented the Church. It was true that the clergy ought to be compensated fully for the loss they were about to sustain; but where was the compensation to the rest of the Church? Every member of the laity really had as much right to compensation as the clergy, whereas their only compensation was that the clergy were expected to sacrifice part of their incomes in order to form a fund for the future endowment of the Church. Under the new arrangement which would be necessary if the Bill passed, the Protestant Church would often be found in the wrong place; now, the church was in the centre of the parish, but, in the future, when they were left to the voluntary system, the church must be in that part of the parish where the great bulk of the Protestants lived; so that in many instances there would be the expense of building new churches in parishes where churches already existed. The glebe houses would not, in many cases, be so useful as might be supposed; they would be too large, for the voluntary system would never produce men of the same class as the present ministers. A most elaborate scheme was framed in reference to the tithe rent-charge; but he defied the Government to show how a system of religious equality would arise out of it. If they were to have religious equality, it should be thorough and complete. He believed that a great proportion of the Irish landlords would refuse to touch the tithe rent-charge even with the tips of their fingers, or would take it only with the intention of re-endowing the Church with her own property. Canada had been very much appealed to as affording an example of the success of the voluntary system; but, in the last year's Report of the Society for the Propagation of the Gospel, it was shown by several clergymen connected with churches in the Province of Quebec, that the Church of England there was struggling for existence, and that, if the aid of the Society were withdrawn, mission after mission would have to be closed. It appeared, however, that in Canada there were a great many endowments. Many of the clergy there had commuted their revenues for certain sums of money. He had enquired how it was that clergymen were able to recover from the Church Body the exact incomes they gave up. He found that such results were occasioned by the fact of the high rate of interest in Canada—that interest being sometimes no less than 20 per cent. The value of land also was constantly rising. Now the reverse of this was the case in Ireland. Even if the voluntary principle were as successful in Canada as had been represented by an hon. Member in that House, the circumstances connected with its working in that country were entirely inapplicable to Ireland. One part of the right hon. Gentleman's proposal he heartily approved of, and that was the arrangement which enabled the clergy of the Roman Catholic and Presbyterian Churches or their congregations to borrow money from the Government, to be repaid by instalments spread over several years, for the building of suitable residences and glebe houses. He (Sir Frederick Heygate) had made a similar proposition some years ago. He thought that all clergymen were entitled to good residences. What was really wanted in Ireland was social equality, and all the religious equality they could establish would not of itself secure that object. It was not funds derived from Church property which had enabled clergymen of the Established Church to take socially a higher position, but it was because they sprung from classes possessing more property and education. In the application of the surplus the right hon. Gentleman seemed to have looked high and low to find a class with no religion in Ireland; for he had bound himself to the principle that the money should not be applied for the furtherance of any religious purposes. At last it appeared that he had selected lunatics and idiots, who were the only objects in Ireland supposed to be of no religion. With regard to the other classes enumerated, the difficulty had not been avoided, for in the North of Ireland most serious discussions had taken place with reference to the appointment of a chaplain to a deaf and dumb asylum, and the institution was nearly given up because the patrons could not agree upon that point. With regard, however, to the lunatics, he (Sir Frederick Heygate) would remind the right hon. Gentleman the Chief Secretary for Ireland that in 1867 the number of lunatics in Ireland was 15,600, whereas the hospital accommodation was only equal to 5,200 of them, and those were maintained at a cost of £149,000. If, then, this part of the proposal of the right hon. Gentleman were carried out, there should be provided accommodation for three times the number they housed at present, and of course the cost of their maintenance would be increased to about £450,000. This amount would be required for lunatics alone, and he believed the right hon. Gentleman would have at his disposal only £209,000. [Mr. GLADSTONE: That is not my figure.] He had no doubt the figure would be found very near the mark, if it was not quite accurate. Then again, the particular treatment to be given to incurable lunatics, as distinguished from curable patients, was a subject calculated to raise many difficulties in the way of the right hon. Gentleman when the time came for giving effect to his plan. The per centage of incurable lunatics was between 80 or 90, whereas that of curable lunatics was 13 or 14. The question was at present assuming a great importance in England. In Belgium they had actually some villages appropriated to the reception of incurable lunatics, and the placing all lunatics in asylums was a wrong principle. It appeared to him, that the proposition of the right hon. Gentleman involved a great waste of public money, and that it was going in the wrong direction. He would say that the maintenance of the poor and the care of lunatics should always be a first charge on property. As far as the cesspayers were concerned, he believed that, instead of this proposal resulting in a saving of the county cess, it would would have the very opposite effect. During the seventeen or eighteen years he had been connected with Ireland, he had noticed that there had been a series of delusions constantly practised; and once more the right hon. Gentleman had damaged the interests of the Irish people by teaching them to look for material improvement, not to their own industry and habits of order, but to the legislative changes which the right hon. Gentleman intended to effect. After the great famine, the idea of emigration was proclaimed. Well, a great many thousand people did then emigrate, and the House knew the opinion that was generally entertained of the effects of such a system. The next panacea was the creation of large farms; and landlords were induced to expend vast sums of money in furnishing their small tenants with the means of emigrating, in order that they might extend their farms, so as to enable the occupiers to maintain themselves and their families better than they could do by the cultivation of small portions of land. Well, what was the result of this arrangement? Why, that there was no language too bad to apply to such landlords. Next came the Incumbered Estates Court remedy, by which the people of Ireland were told that all the embarrassed landlords would be sold out, that the lands would be let at moderate rents, and would be better cultivated. It now appeared that the effects of such a measure were quite the reverse. Well, last year they had the Fenian craze. That was followed by the proposed purchase of the Irish railways by the Government as a panacea. And last of all, they were to be deluded with this measure of so-called religious equality. The great thing wanted in Ireland was peace and quietness; and all that was proposed to be obtained by the present sweeping measure might be procured by a measure for the reform of the Irish Church. Had a moderate and comprehensive measure of Church Reform been brought forward, real advantages might have been gained; but if this Bill passed—and he hoped it would not—the public mind, familiarized with all these changes and results, finding the advantages held out had not been secured, that property had become more unsettled than ever, that life was not a bit more secure, that discontent was more prevalent when thepeople of Ireland found themselves no better for the change, re-action would set in, and even the right hon. Gentleman himself would wish he had never proposed this measure. On the grounds he had stated, he believed the measure would be most prejudicial and unjust; and he should do all in his power to prevent its passing. If he stood alone —which he was very sure he would not do —he should certainly divide against the second reading. He would, in conclusion, say one more word as to what was called religious equality. Religious equality never would be attained in Ireland. The attempt was made in 1640 and failed, and it would fail again. In 1683, Dr. Peter Heylin, Sub-dean of Westminster, quaintly wrote—

> "A learned prelate of this land,
> Thinking to make religion stand
> With equal poise on either side,
> A mixture of them both he tried.
> An ounce of Protestant he singleth,
> And then a dram of Papist mingleth,
> With a scruple of a Puritan,
> And boyled them in his brain-pan;
> But when he thought it would digest,
> The scruple troubled all the rest."

As with doctrine, so with the members of different religions, each would strive for the mastery, and religious equality be as far off as ever.

Sir JOHN GRAY: The speech just delivered by the hon. Member for Londonderry (Sir Frederick W. Heygate) affords another illustration of the remarkable fact that all the speeches made from the Opposition Benches during this debate seem to have been intended for the discussion in Committee, and not for the discussion on the second reading. He would not follow the hon. and right hon. Gentlemen in that course; but would ask the House at this stage not to depart from the real issue then before them. That issue was plain and unmistakable. It was not whether establishment or disestablishment was right or wrong in the abstract—it was not whether endowment or disendowment was right or wrong in theory—these issues, important and suggestive as they were, did not constitute the issue raised on the second reading of the Bill. The real issue was—How is the Queen's Government to be carried on in Ireland? To that issue the House should direct its attention—and on that issue they should pronounce. Is Ireland to be governed as heretofore as a conquered country, or is a course of wise and beneficent legislation to be adopted, which will cause her people to feel that they are to be placed on the same platform of equality with the people of England and of Scotland, and to be ruled on the same principles of equity and justice? The Bill then before them asserted the principle that Ireland ought to be dealt with as an integral portion of the Empire—and that, and not minor details, was the subject on which they had to decide when they said "Aye" or "No" to the second reading. He (Sir John Gray) should admit that he listened with great admiration and much pleasure to the eloquent display made by the right hon. Gentleman the Leader of the Opposition (Mr. Disraeli), but in proportion to his admiration of his oratorical skill was his disappointment at his omission to define a policy for his party. The pleasure which he experienced was still more diminished by the bold assertion of the right hon. Gentleman—that the Established Church in Ireland held up the standard of toleration, and had been the bulwark of religious liberty in that country. It was to be deeply regretted that the right hon. Gentleman had not consulted his "historical conscience" before making that assertion. Had he done so, his "historical conscience" would, no doubt, have informed him that the history of the Established Church in Ireland, from the first hour of its existence to the present day, did not furnish one fact—did not even afford the shadow of an excuse—for the assertion that that Establishment ever sustained the cause of toleration, or that its mission was other than to suppress rather than to advance religious liberty in that country. He (Sir John Gray) would venture to say that the "historical conscience" of the Empire would declare that the whole career of that Establishment was adverse to religious liberty and freedom of conscience. He would, in proof of this opinion, go back to the first century after the introduction of the Reformation in Ireland. During that dark and gloomy period the progress of the Established Church was marked by the burning down of churches, the hanging of the priests of the people, by transportations and confiscations, and by the almost never ceasing presence of civil war, of bloodshed and of anarchy, the result of the means adopted to establish that Church. It might be said from the opposite Benches that that century was essentially one of strife and cruelty, and he would, therefore, pass from it and come down to that period which certain Gentlemen opposite delighted to describe as the "glorious and pious" epoch at which William III. was placed on the Throne, and from which the admirers of the Revolution of 1688 profess to date the establishment of peace, order, and civilization, and the security of religious liberty. He would confidently appeal from the "historical conscience" of the right hon. Gentleman who moved the Amendment last night to the "historical conscience" of the House, and ask did the firm planting of the Established Church in Ireland at that period promote toleration in that country, or secure the religious liberties of the people? The last great struggle of the Irish race was made round the walls of Limerick, and ended not in defeat, but in the conclusion of a treaty ratified by William, which guaranteed religious liberty to the Irish Catholics. They all knew the result. The Catholic regiments laid down their arms—a few of the soldiers took service under the revolutionary King, but the majority, in accordance with the treaty, entered the service of foreign Princes, and departed from their native land feeling confident that by the Treaty of Limerick they had secured that for which they struggled—religious freedom and the security of property. What, however, was the result? Hardly had the Catholics laid down their arms, and hardly had the brave men who fought so fearlessly set sail till the treaty was repudiated by the supporters of the Established Church; and instead of that toleration, that religious liberty, and that protection of property which was guaranteed to the Irish Catholics by the treaty, a series of Penal Laws was enacted against the Irish people, the most cruel and oppressive, which has no parallel in the history of the world. The property of the Catholics was confiscated—their priests were banished—no Catholic was allowed to carry arms—to hold any office in the State—a Catholic was not permitted to be a barrister—to be an attorney—to be a doctor—to enter any of the learned professions; he could not hold a lease of land for more than thirty-one years—he was not permitted to be apprenticed to a trade—he was shut out from the guilds—he could not even become a shoemaker, or tailor, or a barber—he was denied the right to be educated—to him it was only permitted to live and be a serf in his own land. This was the standard of toleration raised in Ireland by the Established Church—this was the religious liberty which, according to the "historical conscience" of the right hon. Gentleman opposite, was maintained by that Church! These laws were as immoral as they were cruel. By these the Conforming son was taught to rob his father, the wife was encouraged to acquire separate property by repudiating her allegiance to her husband, children were seized and made proselytes in infancy; and these laws were enacted by an Established Church House of Commons, elected by Protestant electors, and passed by an Established Church House of Peers, the working majority of which almost invariably consisted of Prelates of that Church, which we were told last night held up the "standard of toleration," and preached the Gospel of peace on earth and good-will to all mankind. He was unwilling to trespass on the attention of the House at any length on so important an occasion as the present when so many Members who had greater claims were anxious to take a part in the debate. He could not, however, refrain from congratulating the House and the Empire on the advance made on this question since he (Sir John Gray) brought it before the late Parliament in the year 1866 at the request of a conference of his brethren in the Irish representation. Many Members in the present Parliament were Members of that Parliament also, and would remember that he found some difficulty in getting a day fixed for the discussion. It was postponed from time to time, and he was indebted to the kindness of the right hon. Gentleman at the head of the present Government for the assistance given him at that period, to which he mainly owed the opportunity he got for bringing forward his Motion. But though he obtained a full discussion he was not able to bring the question to a division, owing to the general apathy that prevailed, because of the then absence of all hope of any practical result. That is not quite three years since. He (Sir John Gray) was not, however, even then without hope—he had confidence in the justice of the cause and in the justice of the English people. In the succeeding year—1867—he found less difficulty in obtaining a day for the discussion, and they had the additional advantage of a division, and in a full House his Motion was defeated by Lord Derby's Government by only a majority of 12. That division was, to his apprehension, conclusive as to the advance of opinion, and he felt that the hour of justice had so nearly arrived that the question must pass from the hands of a non-official Member and be transferred from below the Gangway to the leading Benches. In that opinion his Irish brethren concurred. The question did pass not only from below the Gangway to the leading Benches but to the front Bench, and not only to the front Bench but to the hands of the Prime Minister—and he might say, even in his presence, to the hands of the leading Statesman of the day—the man whom the world would recognize hereafter as the great Statesman who gave peace and prosperity to Ireland, and strength and liberty to the Empire by the just and wise Irish policy he was originating — a policy that would identify his name with the first great effort during three centuries of English rule, to extend religious justice to the Irish people. In three years the question had advanced not only to the Ministerial Bench, but had reached the Throne, and obtained the gracious sanction and approval of the Queen. ["No, no!"] What! Have Gentlemen opposite not read the gracious Speech of their Queen, in which she recommends this House and the other House of Parliament to adopt such wise and prudent legislation, with regard to the religious interest of Ireland, as would give peace and contentment to all her subjects in that kingdom? I repeat then, with emphasis, that this question has advanced to the Throne, and that not only the Parliament and the Cabinet, but the Sovereign and the people of these realms are of one accord on the great question raised by the Bill before us, and determined to do full though tardy justice on that subject to the Irish nation. Having thus briefly alluded to the rapid advance made in public opinion, he would ask the further indulgence of the House, and with permission offer a few observations on some of the topics embodied in the speech of the right hon. Gentleman who moved the Amendment against the policy of just government in Ireland. The right hon. Gentleman in the course of his eloquent address last night said that it was an historical fact that whatever change was made in the Church in Ireland, that whenever and by whomsoever a change was made, it invariably resulted in the transfer of some of the property of the Church to the pockets of the Irish landlords. In that his (Sir John Gray's) "historical conscience" quite coincided with the "historical conscience" of the Leader of the Opposition; and as the right hon. Gentleman omitted to supply proofs of his statement, he (Sir John Gray) would ask permission to supplement that statement by official proofs of its accuracy. On this subject he (Sir John Gray) was an enthusiastic supporter of the opinions of the right hon. Gentleman, that the Irish landlords pocketed the plunder of that very Church, as defenders of which their representatives appeared there that night, and he made a few extracts from the Returns of Lord Derby's Church Commission of 1867, in order to demonstrate that the right hon. Gentleman did not exaggerate the facts when he said that the Irish

Protestant landlords were the great spoliators of the Church, and appropriated to themselves the plunder of that institution which they professed to revere. He would not trouble the House with many illustrations of the truth of that assertion, which, however consoling, as a matter of fact, was not a very complimentary statement for their Leader to make as to the purity of the motives of the Irish Church defenders. Beginning with Ulster, the first case he would cite was that of a distinguished Duke, the late Viceroy in Ireland, who, as President of the Church Defence Association of Ulster, would be admitted to have a a claim to precedence. That noble Duke was reported by the Royal Commissioners—of whom the right hon. Gentleman the Member for the University of Dublin (Dr. Ball) was one of the most distinguished and able—to be possessed of 5,736 acres of the episcopal lands of Derry, and of other lands of the same character, the extent of which was not given. These lands were in the immediate vicinity of the noble mansion of Baronscourt—than which there is not a more princely residence in Ireland—and may be said in fact to be demesne lands. For that vast territory he pays the Church an annual rent of £69 12*s.* 1½*d.*, and a fine of £678 11*s.* 9*d.*, making a total annual payment of £748 3*s.* 10½*d.*, or about 2*s.* 7*d.* per acre. Adjoining Baronscourt is situate the prosperous town of Newtownstewart, around which are clustered the ruined churches and castles of the O'Neils—sad memorials of a Royal house, and historic monuments of the fate of the ruin and confiscation for conscience' sake that befell a conquered but a chivalrous race. On turning to the records of the adjoining diocese of Kilmore he found, according to the same Return, that a Mr. Jones, the descendant of a Welshman of that name, who had to be imported to perform episcopal functions in Ireland—the native Bishops having refused to have any identification with the State Church—enjoyed 5,938 acres of the episcopal lands of which his episcopal progenitor had the fiduciary charge, and for this princely territory this son of the Church pays only £725 15*s.* 10*d.* annually, including rent and fines—or about 2*s.* 5*d.* per acre. In the same diocese there were many aristocratic descendants of another episcopal family — the Beresfords — whose ancestor came to Ireland, and settled in Coleraine in 1614 as the bailiff of the London traders, when James I. resolved to plant Ulster with Protestants imported to occupy the lands and churches from which the Catholics were expelled. One member of that episcopal family is reported by the Commissioners to hold in perpetuity 3,731 acres 2 roods 9 perches of the see lands of Kilmore, and another member of the family—the Most Rev. Father in God, Marcus Jervis Beresford, now Lord Primate of Ireland, holds also in perpetuity 3,777 acres 3 roods and 36 perches of the ancient see lands of Kilmore, for which they pay the Church the nominal rent respectively of £826 13*s*. 6*d*., and £765 6*s*. 3*d*., or equal to 4*s*. 1*d*. per acre per annum. They heard a great deal last night from the right hon. Gentleman the Leader of the Opposition about the fiduciary character imposed on Church property. His speech on that branch of the subject was quite learned and instructive, and, no doubt, a person who could speak so eloquently on the nature of trusts will highly appreciate the fiduciary care manifested by this episcopal family in their dealings with the see lands over which they, from time to time, presided. Possibly the fiduciary Bishops thought the best mode of discharging the trusts committed to them would be the establishing the members of their own families as magnates in the land, by conferring on them the property of the Established Church. In addition to the two cases referred to he referred to some of the Beresford Bishops, who carried out the fiduciary duties confided to them by establishing for another member of their family — the Marquess of Waterford, President of the Church Defence Association of Munster — a right to 1,532 acres of the lands attached to the see of Kilmore. In the see of Armagh the same system prevails. One of the Maxwells—also a descendant of an episcopal family, whose ancestor was imported from Scotland to be "planted" as a Protestant on the lands of the Catholics who were expelled for not conforming, and who rose by means of the Church to wealth and dignity, and eventually founded the Earldom of Farnham, holds 2,133 acres at £256 10*s*. yearly, about 2*s*.5*d*. per acre. In Meath diocese the Balfours, also an ecclesiastical family, hold 8,273 acres at £387 13*s*. 10*d*., or about 11*d*. per acre, and Meath contains some of the richest land in Ireland. In Dublin the same alineation to scions of episcopal families prevailed, and one of that lucky class, Mr. Cobbe, a gentleman of great political activity, and a great friend of the Church, holds 7,050 acres of the see lands of Dublin in perpetuity for £233 7*s*. 10*d*. per annum, or less than 8*d*. per acre. The last illustration he would trouble the House with was taken from the archdiocese of Cashel, one of the descendants of the Archbishop of Cashel, who came as a clerical adventurer to Ireland, attracted, no doubt, by the good tidings of the good things that were to be obtained there, and eventually reached the mitre and grasped an Earldom—the Earl of Normanton—holds 8,510 acres of the best lands in Ireland at 4*s*. 4*d*. per acre. The lands are well known to many Members of this House, they adjoin the property of Lord Derby, and form part of a tract so rich and fertile that it is called the Golden Vale of Ireland, and which would on an average bring £2 an acre. He might multiply similarly gross instances of see lands alienated to members of episcopal families and others at rents so purely nominal that the lands might as well have been confiscated by the Bishops for the benefit of their descendants—a course which, on reflection, ought not to have been so severely censured by the right hon. Gentleman, for it, in fact, seemed to be the most effective application of the property for the establishment of the Church. Looking then to the see lands, and the manner in which they were parcelled out by the Bishops to enrich their families and connections and friends, he would confidently ask who were the spoliators of the Church—were they the men who sought to apply the property for the benefit of the whole people, or were they not rather the men who appropriated it to their own families, and the men who continued to enjoy the spoil while pretending in this House and elsewhere to be the only friends of the Church? He for one flung back the term spoliation to the Benches from which it issued, and denounced the men who continued to hold the rich and fruitful lands of the Church as family perquisites as the true spoliators of that institution. But the episcopal lands did not contribute the only property of the Church which was spoliated by the Protestant landlords of Ireland. The right hon. Gentleman, to whose elaborate speech he had so often referred, stated that since the year 1834 the Irish landlords had pocketed more than £3,000,000 of the tithe rent-charge which ought to have been paid to the Church. He (Sir John Gray) regretted that the right hon. Gentleman was not a little more precise in his figures, for, according to his calculation, the sum so pocketed amounted more nearly to £4,250,000—money-spoil taken from the Church, and pocketed by the Irish landlord friends of the Church. This sum constituted, however, but a fraction of the sum total of which those friends of the Church despoiled it. The agitation of the Irish landlords to abolish the title of agistment, and thus free their grass lands and demesnes from tithes, while still leaving the burden on their agricultural tenants, almost created a clerical rebellion in Ireland quite as serious as that with which the Church defence agitators now threaten the State. The Irish landlords in both Houses of the Irish Parliament were, however, resolved — they carried their point, and to this day the clergy and Bishops in their essays on the Church question complain of that spoliation. The hon. and rev. Henry O'Brien, brother to Lord Inchiquin, a respected minister of the Established Church, in a remarkable pamphlet which has just issued from his pen, says—

> "The tithes were commuted for a tenth of their value, and, to secure that tenth, 25 per cent had to be given to the landlords as the only agents able to collect them from the indignant native occupiers of the soil."

He did not think the rev. gentleman exaggerated very much, for on referring to the last available Returns of the value of crops in Ireland, he found corroboration of the estimate. The House must remember that tithes meant the tenth part of the produce, and that any adjustment as to the commutation was assumed to represent that tenth, and the tenth sheep, the tenth sack of potatoes, the tenth lamb, the tenth egg were wont to be exacted in Ireland; and if the Church had a right to the tithes it had a right to the full tenth of the whole produce. He found from the last Returns that the value of the agricultural crops in Ireland in 1867, exclusive of pasturage, was £30,000,000, and he found by the Returns of the Royal Commissioners that the amount of rent-charge paid to the Church in lieu of the tenth of the produce was under £370,000. The difference then between £3,000,000 annually and the £370,000 was merged in the landlords' rent, and represented the amount of which the Irish landlords despoiled the Church—their loved, cherished Church—under that one head of spoliation. Who, then, he would repeat, were the spoliators of the Church? Were they not—in the words of the right hon. Gentleman the Leader of the Opposition—the Irish landlords? The right hon. Gentleman stated with great dogmatism that the plan of capitalization provided for in the 23rd clause of the Bill would be of no benefit to the Church, and that even if all the incumbents commuted their life interests there would be no balance left at the period when all the annuitants would have passed away. He regretted to observe that on that evening the right hon. Gentleman the Member for Dublin University (Dr. Ball) endorsed that statement of his Chief, and even added that there might be an actual money-loss but that there could be no gain. He (Sir John Gray) had taken some trouble to investigate this matter, and made some careful calculations to ascertain the probable working of the capitalization, and arrived at the conclusion that, by proper management, there would result a balance that would give nearly one-third of the present income of the Endowed Church as the income available for the Disendowed Church at the termination of the annuities secured by the Bill. Not content with his own calculations, he showed his result to an eminent authority on such subjects, who confirmed it. But if the right hon. Gentleman should prove right in his estimate, it is in the power of the Irish landlords, by disgorging a little of the Church spoil which their Leader says they put into their own pockets, to make up the difference, and thus prove the sincerity of their professions of attachment to their cherished institution. The present net income from public sources of the incumbents is reported by the Church Commissioners at £481,436 2*s.* 3*d.* The Primate and other ecclesiastical writers report it as less than £400,000; but taking it at the highest figure it will be apparent that a very little restitution of the plunder of Church property by

Irish landlords, of which their Leader so justly complains, would render the Church altogether independent of the voluntary offerings of the poorer members. The capital sums contemplated by the Act, as stated by the Rev. Alfred Lee and circulated by the Church Institution, is £5,700,000. This £5,700,000 might easily be vested in lands or on good Protestant mortgages at 4½ per cent, which would produce £256,500 a year. If the Protestant landlords who have pocketed, as the right hon. Gentleman says, so much of the money of the Church since 1834, would re-pay the Church as interest on that sum even 4 per cent, it would bring the annual income of the disendowed Church to more than £400,000 a year, assuming that the calculation is right, that eight-ninths of the landed property of Ireland is owned by Protestants. Every man acquainted with the management of land in Ireland knows that the usual percentage for agency fees is 5 per cent as a maximum. That covers all fees for sub-agents, bailiffs, drivers, &c.; and surely if a Protestant landlord can collect his own rack-rents for 5 per cent he ought not to have charged his beloved Church 25 per cent for collecting the stipend. But he would not even ask the Protestant landlord to disgorge the whole of the 25 per cent. He would allow him as much as any other tithe-proctor was allowed; and even allowing the 5 per cent for collecting, there is at present merged in the land, and received by the landlord as rent, a clear 20 per cent of the property which belonged to the Church—part of that spoil of which the Leader of the Opposition spoke, and that being property actually paid to the landlords as rent, and retained by them as the usurious tithe-proctor's fee, they ought in all honesty, and no doubt judging by their professed desire to sustain the Church they will feel bound to pay it over henceforth to that institution which is the life and light of the nation. Eight-tenths of that, the Protestant landlords' portion of the spoil, would be about £88,000 a year, which, added to the sums already named, would place the Church in nearly the same position financially that she now enjoys. He did not ask the friends of the Church to disgorge the whole of the spoil they had pocketed, or any of it. He only asked them to pay a small interest on the spoil of the last thirty-five years, and for the future not to rob the Church by the usurious demand of 25 per cent as tithe-proctors' fees when they could get the work done for less than 5 per cent. By this suggestion he would test the sincerity of the Irish Protestant landlords, and the Church would test the reality of their pretended devotion to its interests and its financial prosperity. He hoped they would hear no more of spoliation from the Opposition Benches until the Irish landlords on those Benches shall have announced their determination to disgorge at least the small portion he indicated of the spoil and plunder they have exacted from the Irish Church. He did not set much value on the capitalization plan. He would not like to see any, even a seeming remnant of the injustice remaining, no matter how the fund might be accumulated and preserved; but at the same time he felt that the question before them was removed far above the narrow question of pounds, shillings, and pence, and would cheerfully accept the Bill as it stood—as a Bill that aimed at the accomplishment of fair and righteous legislation for Ireland, and would for the sake of that great end, and to secure the entire unity of action, give up any special opinions of his own to secure the success of the great measure before them. It was said on the previous night by the hon. Gentleman the Member for South-west Lancashire (Mr. Cross) that the Fenians had made no allusion to the Church question in any of their proclamations, and that it was not therefore one of the grievances of which they complained. It was known to every Irish Member in this House—and he would tell hon. Gentlemen opposite—that the Fenians, with whom they seemed to have some secret alliance, were persons who ignored the authority of that House, of the House of Lords, and of the Throne, and who consequently would never come there as petitioners. He disagreed with the Fenians; the Gentlemen opposite might support them, and cherish them, and stimulate them, but he would not. He told them that the Fenians would seek no redress from them—their policy was to repudiate all Parliamentary action, and refer only to the arbitrament of the sword. He was ever anxious to dissuade his countrymen from the folly of such a mad and wicked policy. He told them again and again, and ever would tell them, that it was as foolish as it was wrong and immoral, and he warned Gentlemen opposite that the course they were taking on the great question of religious equality was the true pabulum of discontent and disaffection in Ireland. They were by that course confirming the people in their adhesion to the doctrines of those who told them not to appeal to Parliament for redress, but to look to their own right arms. The policy of those who supported the Bill was on the other hand the only policy that would stifle discontent by giving the hope and the reality of justice. He supported that policy because it would unite the two peoples and the two kingdoms—it would teach the Irish people to look to Parliament for the redress of wrongs, and persuade them that, though centuries of misgovernment had well nigh crushed out the energies of the people, the Crown had at length become their friend and the law their protection. That policy, if steadily acted on, would rally the Irish people round the Throne, the Constitution, and the law; it would paralyze Fenianism, and put an end to its proclamations.

VISCOUNT CRICHTON: Under ordinary circumstances I should not venture to obtrude myself upon the House of which I have so lately become a Member. But living as I do in the North of Ireland, and representing a northern constituency, I do not feel it consistent with my duty to give a silent vote, but as far as it is in my power to give expression to the sentiments and the feelings of those among whom I have lived, and the constituents I have the honour to represent. I bespeak, therefore, that indulgence which the House generally has accorded to those who laboured under the disadvantage of addressing them for the first time. I feel that disadvantage the more as the subject has been so thoroughly handled, and the ground so fully occupied by the debates of last year, and in the course of the appeal which has since been made to the country, so that there is little that is fresh to advance on the subject. I agree with the hon. Member for Kilkenny (Sir John Gray) in thinking that we ought now to discuss the principle of the measure, and not go into details which might more properly be left for Committee. I have listened with deep attention to the statement of the right hon. Gentleman who introduced the measure which is now under discussion (Mr. Gladstone), and also to the speeches of hon. Members who have spoken in defence of the measure, and I have carefully studied the details of the Bill itself, but I have failed to discover either in their arguments or in the provisions of the Bill anything tending to lessen the aversion which I have always entertained with regard to the projected spoliation of the revenues of the Established Church in Ireland, and the disconnection of religion from the State in that part of the United Kingdom. And, Sir, although nothing could be more lucid or admirable than the exposition of the right hon. Gentleman when introducing the Bill for the first time, still, however, there are a few points upon which I think the House is entitled to some further explanation at the hands of Her Majesty's Government; and in the first place I presume we may infer, although I did not quite clearly understand it to be so, that the Bishops and incumbents are, for the rest of their life, or for the time that they continue to fulfil the duties of their office, to be left in possession not only of the fabric of the glebe houses, but also of such portions of the glebe lands surrounding the houses as they hold in their own hands, what are called in Ireland the "demesnes." Now, these demesnes have, for the most part, been entirely created by former incumbents, who may be said to have invested their money in their creation on the understanding that they were to remain for ever in the possession and for the uses of the Church; this investment may be looked upon in the light of private endowment and, according to the principles laid down in the case of the benefactions of Primates Boulter and Robinson, ought to be respected. But we are told that upon the lapse of the present incumbencies, the New Governing Body is to be allowed to purchase only ten acres round the glebe houses — the fabrics themselves being thrown into the bargain, solely on account of their utter worthlessness to anybody else. I think, therefore, the House has a right to be informed if any or what deductions from the price of these ten acres is to be made on account of improvements, and also what arrangements are to be made in the case of demesnes exceeding ten acres. Again, Sir, there is the commutation of the *Regium Donum*, and the grant to Maynooth. I have always understood that these monies have been paid out of the Imperial Exchequer, the Consolidated Fund, or something of that sort; and although I had not the advantage of being in the House last year when the Resolutions were passed, I heard that the right hon. Gentleman then declared that on no account would he, or those with whom he was acting, think of bestowing any of the confiscated revenues of the Church upon the members of any other denomination; yet, in spite of their declarations, in spite of the announcement that, in the measure now proposed, no deviation from the principles laid down last year will be found, we hear that the commutation of the incomes of the Presbyterian clergy and the Maynooth Professors, amounting to £1,100,000, is to be provided for out of the disposable funds of the confiscated Church property, and that the Imperial Exchequer is to be to that amount relieved from Irish burdens — thus obliterating those letters of iron in which it is written that the money is to be applied to Irish purposes. Well, Sir, private endowments are to be respected, but with this limitation—that they must date from the year of the Restoration of Charles II., 1660. But why fix the date at 1660 instead of 1634? Even on the principles laid down by the right hon. Gentleman, private endowments should date from this year; for in a Convocation then held the Thirty-nine Articles were unanimously received and adopted though, probably out of respect to Archbishop Ussher, at whose instance the Lambeth Articles were adopted in 1615; the latter were never formally repealed. Now, I presume there is a diversity of opinion as to what was the exact date of the commencement of the Reformation in Ireland. Some will maintain that it dates from the time of the rejection of the Papal supremacy in the reign of Henry VIII., I believe in the year 1536—two years later than in England; others will date it from the substitution, under Edward VI., of the English Liturgy for the Latin Mass in 1551; while, perhaps, a third party, taking into account the changes and disturbances in the succeeding reign, will not admit that a final settlement took place till the accession of Elizabeth, when, in a Parliament in Dublin, in I think the year 1560—a Parliament attended by three Archbishops and seventeen Bishops, the Reformation was accepted with only two dissentient voices, and subsequently ecclesiastically ratified in a Synod convened by the Lord Deputy a few months later. However, taking the very latest of those points of time, there still remains a period of 106 years—a period, too, of very considerable zeal and earnestness, during which we know for certain that many private valuable endowments were bestowed on the Reformed Church. Well, Sir, I admit that the troubled state of that period would perhaps make it difficult now to trace the source of some of those endowments; but when we consider that a very considerable portion of them, between £30,000 and £40,000 a year were regained for the Church through the instrumentality of Primate Bramhall, then Bishop of Derry, and with the co-operation of Charles I., Lord Strafford, and Archbishop Laud, who, I think, will hardly be accused of Calvinistic or Puritanical tendencies, I think the House will see that as to this portion of them, at all events, there can be no uncertainty whether it was intended for Episcopal or Presbyterian purposes, and that its devotion to the erection of lunatic asylums would be a distinct violation of the principle of respecting private endowments. I shall say no more on this subject, but pass on to notice what I conceive would be the unjust operation of the measure against poor curates in Ireland. In illustration of this view I will mention one instance which has come under my own observation in the town which I have the honour to represent. It is that of a poor curate who, thirty years ago, was in his father's office, but having changed his views in life had taken Holy Orders. From that day to this he had been in the receipt of £70 a year from the Church fund. He had lately had besides an additional income of £60 a year as garrison chaplain, but that source of income was fluctuating, and might cease at any time. That worthy man had a wife, and, like most Irish curates, several children. Under the present Bill, the hopes of advancing himself in life with which he had entered the clerical profession would be put an end to, and he would be condemned for the rest of his life to his miserable £70 a year. Now, Sir, as regards the principle of the measure itself, I wish, in the first place, to express my satisfaction that the "levelling up" scheme, as it was termed last Session, is not to be revived; for much as I deprecate the proposed measure, I should view with still more distrust and dislike any scheme for propping up existing institutions by the co-endowment of another, and, as I believe, alien and hostile creed; and in the second place — for I suppose it behoves us now-a-days to be thankful for small mercies—that we are not to be subjected to the pains of a lingering death but, by the favour and excessive benevolence of our executioners, a short, sharp and speedy termination is to be put to our sufferings. But, Sir, I fear that these two topics exhaust all the gratitude which I am capable of entertaining towards the right hon. Gentlemen who form Her Majesty's Government, for I confess that I am utterly unable to appreciate their assurances that the result of this measure will be favourable to the advancement of religion, to the interests of Protestantism, and to the stability of the property, the laws and the institutions of the country. I suppose the object of disestablishment is to remove a sentimental and of disendowment is to remove a practical grievance; but, if I mistake not very much, one of the very first effects of the measure will be to add another practical grievance to those which are already supposed to exist. There is a very wide spread, and, indeed, a very natural, idea among the peasantry who cannot be expected to enter into or comprehend all the subtleties and intricacies of the question, that when the Church is done away with, and the parsons, as they imagine they will be, are sent about their business, that they will no longer be called upon to contribute their quota to the tithe commutation rent-charge, and that accordingly there will be a corresponding diminution in their rent; when, therefore, they come to the office on the next rent day and are told that they are not to get any diminution, but are for the future to pay for the support of lunatics, and deaf, dumb and blind, instead of the clergyman who resides amongst them and spends his money in indiscriminate charity and employment of labour, they will very naturally think that they have been sold; and not being disposed to believe that they themselves will ever come under the category of those classes intended to be relieved, will consider an almost imperceptible diminution of county cess a very inadequate return for what they had been led to expect. Well, Sir, I believe that will be one of the first effects of the measure upon the class it is intended to benefit; but what will be its effect upon the class that it is intended to despoil? What will be its effect upon the scattered families of poor Protestants in the South and West of Ireland whose ancestors settled there on the faith of pledges that they and their descendants should have the ministrations of the Gospel according to the doctrines of the Reformed Religion maintained for them, when they, few in numbers, possessing little wealth, and not backed up by resident gentry to help them with their purse and their influence, are deprived of the ministrations now within their reach? How will they maintain a clergyman to baptize their children, to train them in the paths of knowledge and virtue, and in their dying hour to minister the consolations of religion? Sir, for an answer we have not to look back to history, we have but to refer to what happened in the beginning of the 18th century—an age of spiritual deadness, when, in consequence of the bad provision for the spiritual wants of the Protestants in the more uncivilized parts of the country, many of the meaner people, as Archbishop King relates, and among them the descendants of Cromwell's soldiers, were daily going off to Popery. History, we are told, never fails to repeat itself, and this I say will be the effect of the measure, and those who have initiated it will have to bear the responsibility, and I do not envy them the burden, that the light of the Reformation will be extinguished in many parts of Ireland. Sir, I believe this to be essentially a poor man's question — not a rich man's. I believe the Church in Ireland—as indeed the Church everywhere, notwithstanding all that has been said to the contrary—to be the Church of the poor and not of the rich. I hold that to be the essence of an Establishment, as opposed to the voluntary system, that its ministrations should be provided free of expense to those who are not able to contribute themselves towards the support of the minister and the maintenance of the Churches. I shall not, therefore, enter into those arguments by which it has been argued, and I hold successfully argued, that this measure will be destructive of the rights of property. I shall not weary the House by endeavouring to prove that St. Patrick was a Protestant, or that the Bishops of the Irish Church deduce their succession in uninterrupted descent from him, while the Roman Catholic Bishops are intruders, deriving their orders from Rome and Spain. I will not enumerate the legislative enactments by which her property was granted and settled upon her, and the collateral securities by which they were guaranteed when changes affecting her status and integrity were accomplished. All these matters have been so debated and thrashed out both during the last Session of Parliament and in the interval when the appeal was being made to the country, that it would require one with more eloquence than I possess to lay them before the House in a shape which would command its forbearance and attention. But, Sir, I hope the House will bear with me a little while longer while I endeavour to state, as briefly as I can, my views as to the reasons which are usually assigned by those who advocate a change unprecedented and almost without parallel in the history of our country. I believe the main argument briefly stated is this —that the Church as a corporate body, or I believe to speak correctly, an aggregate of corporations, having been connected with and endowed by the State, with certain property for a certain purpose, and having failed in that purpose, it is competent for the State to dissolve that connection and to resume those endowments. I am not enough of a lawyer to go into the difference between the rights of corporations and the rights of individuals, but as far as regards tithes, which make up the chief part of her property, I do not think any date can be assigned for the period when the State can be said to have endowed the Church with them. I believe that tithes have been Church property existing from the earliest times, and though unknown to the Irish Church at the Council of Cashel in the reign of Henry II., cannot be said to have been then granted for the first time, but were rather an assertion of the Church's right, believed to be of divine origin, which the State lent its active jurisdiction to enforce; but I do not admit that the sole or even the primary purpose or mission of the Irish Church is to convert the Roman Catholics. I believe the first test of her efficiency is the manner in which she has kept in her fold and ministered to the spiritual wants of those committed to her charge; and however much in times past from causes, over which she at least had no control, her ministers may have neglected their duties, even those who are now seeking her destruction are compelled to bear testimony to the piety and devotedness of her clergy, the zeal and liberality of her laity, and the great increase in the number of churches, of curates and of congregations that has taken place during the lifetime of the present generation — and if I am told that she has failed altogether as a missionary Church, I can point to the operations of the different Church Missionary Societies, especially in Connaught, whereby during the last thirty years the number of churches has been increased from seven to thirty; of congregations, from thirteen to fifty-seven; of clergy, from eleven to thirty-five; and of the Church population, notwithstanding emigration, 2,326 souls; while by the instrumentality of the West Connaught Church Endowment Society, during the last nine years nearly £25,000 have been collected, and nine districts have been provided with churches, schools, and a permanent endowment for a clergyman. But, Sir, admitting that she has not made as much progress in missionary work as might have been desired or hoped for since the period of the Reformation, what, I ask, is the main reason and cause? Because she has been used by the English Government and the English Parliament as a political engine; and because Ireland has from the earliest times been made the battle-field for contending parties; and I must here ask the indulgence of the House while I enumerate the causes which have operated to hinder her efficiency, for I think that when an English Parliament is asked to assent to a measure like the present, it is but fair that it should clearly understand that the causes assigned for this measure are causes having their origin in the action of Parliament itself. The selections of her Bishops and superior clergy were made more with the view of advancing English rule and English power than for the promotion of the spiritual welfare and instruction of the people—the very fact of the Reformation originating in England was sufficient of itself to arouse the hostility of the Irish, and this hostility to the English race rather than to the religion—a hostility having its origin in days when the Church itself was Roman Catholic, is demonstrated by the fact that in the Irish language there is even to this day no word for Protestant — Sassenach or Saxon is the only equivalent for it. Such was the dread of the Irish language, or the desire of extinguishing it, that the Act of Uniformity (2nd Elizabeth), provided that if an Irish priest were ignorant of the English language, he might perform the Church Service in Latin; and yet, notwithstanding this, it is well known that the Latin Edition of the Prayer Book was never circulated in Ireland, and consequently the service used in those parts of Ireland where the clergy were ignorant of English, must have been the old Roman service. Spenser describes the kind of men who were sent over to Ireland to fill the highest offices of the Church in graphic language. Again, the condition of the country, rent by civil war, which was fomented by the intrigues of the Popes and their emissaries, prevented the spread of religion; and after the plantation of Ulster in the reign of James I. had given some hopes of a new era of peace and progress, thirty years' cessation from internal discord had enabled the Church to make some progress in establishing religion and order, the frightful massacres of 1641, directed chiefly against the members of her Communion—for it is a curious fact that the rebels were ordered to spare the Scotch Presbyterians in the North—diminished her numbers, and the subsequent accession to power of Cromwell, whose perhaps necessary retaliation and cruelties had increased the hostility of the natives to England and to the Reformation, instead of bringing redress or consolation to the afflicted Church, only increased her troubles; for the Republican Government which had overturned the monarchy and the Church in England, was not likely to deal more leniently with the Church in Ireland, but suppressed her Liturgy, imprisoned her Bishops and clergy, and sequestered the revenues of her benefices and sees. If we take into account the further troubles in the reign of James II., I think it will be admitted that she never had anything like approaching to a fair chance till the time of William III.; but even then the causes which before operated to impair her efficiency were still in existence. Everybody will remember Dean Swift's humourous description of the Englishmen who came over to fill the Irish benefices in his time—namely, that they were the highwaymen who had robbed the true and reverend missionaries on Hounslow Heath on their journey to Ireland, and personating their victims, came with the vestments and credentials robbed by them, and procured admission to the Irish livings. The Penal Laws, enacted professedly in the interests of the Church, in reality increased the aversion of the Roman Catholics towards her, and deepened the mutual animosities of party and creed. Then, again, the selfish policy of the landlords prevented the increase of the Protestant population by preferring Roman Catholic tenants, who, being accustomed to a lower scale of living, were prepared to offer, though not always to pay, any amount of rent which might be demanded, and consequently to outbid the former, who, being unable to live by farming, emigrated in large numbers; indeed till the famine time, emigration was almost exclusively confined to Protestants. And it was not only by these external operations that the Church was affected and her usefulness impaired. Successive legislative enactments stripped her of her property and diminished her revenues. Again, by the selfish policy of a Parliament of Protestant landlords, the clergy were deprived of the tithe of agistment; the Church Temporalities Act suspended ten bishoprics, and out of their incomes and a tax laid upon those of the remainder, vestry cess hitherto levied as a Church rate was supplied, and her already maimed revenues were further diminished by the operation of the tithe commutation rent-charge, whereby at one swoop a fourth of the tithes still remaining were handed over to the landlords. When, therefore, you consider that at the time of the Revolution the Church population of Ireland was 100,000 to 800,000 Roman Catholics, or one in eight; and at the last Census it was 700,000 to 4,500,000, or one to six-and-a half; and when you consider that this actual and relative increase in her numbers has taken place spite of all the obstacles to which I have referred, the wonder is not that she has failed to convert all Ireland to the Protestant faith, but that she exists at all; and the injustice of the measure by which it is proposed to take from the clergy who have extorted by their conduct, even from their enemies, unqualified praise and approbation, property which was without questioning freely bestowed on men confessedly unworthy of it two centuries ago, and which, had it come down unmutilated and in its entirety, would have been worth £250,000 a year more now, the injustice, I say, of this measure becomes more and more apparent. The only other point with reference to which I must ask leave to make a few observations is the argument directed against, what may perhaps be called, the sentimental part of the grievance,—namely, Establishment, when it is asserted that the Church is the symbol of ascendancy, and that the Bishops and clergy of the Church of the majority of the people are insulted and aggrieved by the spectacle of the ministers of a smaller body in connection and communion with the State, and in the enjoyment of whatever advantages and dignity may be supposed to be derived from such a connection. Now I am afraid that this feeling, though ennobled with the name of a sentimental grievance, partakes more closely of the nature of a more sordid and less dignified emotion—namely envy, and more particularly of envy as defined by Dr. Johnson "Pain felt and malignity conceived at the sight of excellence and happiness." But after all, what is this ascendancy—it is not the existence of Penal Laws, for every vestige of them have long been swept off the statute book; it is not the exclusion of Roman Catholics from the high offices of State, for one of that persuasion now fills the post of Lord Chancellor of Ireland, the highest office to which a subject can be called; and out of the twelve puisne Judges, eight are Roman Catholics, a great disproportion when we consider the relative numbers of the two creeds at the bar. In what then does it consist? In this simple fact, or rather in the assertion of this simple fact, the ascendancy of the Queen in her own kingdom over a foreign Potentate, a Potentate who would not allow the subjects of that Queen to build even one church in his own capital. Nor is this ascendancy, this supremacy a thing of recent date, although finally established by Henry VIII. It has been asserted by English monarchs from the earliest times, and from the days of William the Conqueror the right of the Crown to create bishoprics was jealously guarded as one of the highest prerogatives of our Sovereigns. This prerogative was more jealously asserted in Roman Catholic days than afterwards, for when in the time of Henry II. Cardinal Vivian was sent as legate to Scotland, Ireland and Norway, on his arrival in England the King sent the Bishops of Ely and Winchester to ask him on whose authority he grew so hardy as to come into his kingdom without his leave, and he was not permitted to travel throughout England without giving his oath that he would not exercise his commission without the King's leave. In this supremacy of the Queen then lies the sole vestige of ascendancy that is to be found in the Constitution of the country; under it the Bishops and clergy of the alien religion, —for I assert that the Roman Catholic is the alien religion as opposed to the national—enjoy a greater degree of liberty than is accorded perhaps in any part of the world. They are permitted unlimited freedom of worship, of speech, and of action; and, unhappily, in many instances, they ill requite this forbearance by indulging in inflammatory and seditious harangues and by undue interference with the freedom of elections to an extent which if practised in Roman Catholic France or Austria, would speedily gain for them an introduction to the police authorities of those countries. And when this supremacy of the Queen is abolished, as it will be when you have accomplished the disestablishment of the Church, think not that it will be long before another is substituted. The machinery is even now ready. You have a Cardinal Prince of the Holy Roman Empire—who, I fear, is beginning to lead by the nose certain distinguished personages on the other side of the Channel, —at the head of a powerful hierarchy and a highly organized parochial system permeating the length and breadth of the land, ready to step in and fill the void you are inviting us to make, and the result will be the substitution of the supremacy of the Pope for the mild and beneficent rule of our gracious Sovereign. Sir, I believe that ascendancy, that Protestant ascendancy consists in that which Parliament never had the power to give, and which no Parliament ever will have the power to take away. I believe it consists in those qualities of energy, self-reliance, frugality and industry, which have turned the comparatively unfertile soil of Ulster from a wilderness into a garden and has peopled its cities with a thriving and industrious population. Sir, I believe these habits have been fostered and matured by the teaching of a Church, which while, on the one hand it asserts the free and unfettered exercise of the right of private judgment and of the interpretation of the Holy Scriptures, on the other by providing an independent provision for its ministers, prevents them from deferring their better judgment to the prejudices, and too often the caprices of their congregations upon whom they would otherwise be dependent for their support. Sir, I rejoice to think that the Legislature—though in the plenitude of its power it may strip her of her possessions, may lower the social status of her clergy, and may injure the State by severing the connection which has so long existed between them,—cannot deprive her laity of those qualities which they owe in so great a degree to her teaching and influence; but this it can do and this, I fear, much will be the effect of the measure we are now invited to pass; it can intensify and embitter those party feelings which have unhappily so long existed amongst us. It can put a stop to that era of progress and prosperity which is now beginning to dawn upon Ireland; it can exasperate and disgust by a sense of unmerited wrong—the most loyal, the most prosperous, and the most improving section of Her Majesty's subjects. Sir, it has been endeavoured to prove that a revulsion of feeling has taken place on this subject in the North of Ireland; we have been treated to boastings about the Liberal flag waving in triumph over four of the former fortresses of ascendancy in Ulster; but independently of the fact that three out of the four at one time or another returned Members holding opinions identical with those of their present representatives—a fact which rather qualifies the value of the boast—I believe that it has been indisputably proved that in two at least of these fortresses the substitution of a Liberal for a Conservative has not been owing to any revulsion of Protestant feeling, but to the influx of the Roman Catholic element, consequent on the lowering of the franchise, while in the other two I believe, the change was owing to circumstances wholly unconnected with the Church question. Sir, I believe, on the contrary, we are sustained by the increasing force of public opinion in England; the verdicts of the great constituencies of Lancashire, of Middlesex, of Kent, Surrey and Westminster, have compelled even *The Times* to admit that the Irish Establishment has been maintained by the superior force of English opinion against the judgment of Scotland and the resentment of Ireland. Sir, in times when Statesmen cast away like an old garment, the cherished convictions of a lifetime, when the hierarchy of a Church, whatever we may think of its tenets, possessed of the affections of such a large portion of the human race, deliberately repudiate solemn engagements entered into by their predecessors—engagements on the strength of which large concessions were obtained for their co-religionists—I fear little weight will be attached to the utterances of deceased Statesmen however eminent their services to the cause of Liberalism may have been. Sir, I should ill requite the kindness which the House has shown me by troubling it with quotations from the writings and speeches of those who, though strenuous supporters of the principles which hon. Gentlemen opposite advocate, have nevertheless left on record their matured and deliberate judgment as to the injustice of the measure we are now asked to adopt, and the evil effects which will inevitably ensue from its adoption. Sir, I ask hon. Members to recall to mind—I am certain they have often heard them quoted—the sayings of Plunket, of Grattan, of Sir James Graham, Sir George Lewis and Lord Palmerston. I ask them to pause before they commit themselves to a step which, when once taken is irrevocable, and under the vain and delusive hope of appeasing sedition and conciliating the disloyal, to inflict a cruel blow upon those who have always been the firm friends of British rule and British connection.

MR. MIALL: Sir, I should have had the greatest pleasure in sitting through this debate without taking any part in it whatever, but I have an obligation to discharge in reference to the Bill before us, both as to my past career and my recent election. I possess one qualification for speaking on the Bill which can be boasted by few Members of this

House—that I was returned to the House after the Bill of the right hon. Gentleman, embodying the whole of his ecclesiastical policy for Ireland, had been laid before the House and the country. I was elected to my seat in my absence, and was so elected in order to give emphasis to the favour of my constituency towards that measure. I feel, therefore, bound to deliver to the House—and I will do so very shortly—the freshest message from outside, from an important and influential constituency, relating to the measure before us. I must say, notwithstanding the obligation that presses upon me to speak, I am rather ashamed of troubling the House. There seems to me to be an air of unreality about this Bill. We are not only re-discussing a question which was discussed to exhaustion last Session, and before the constituencies at the General Election, but we are absolutely taking into our consideration at this time a question which the country has supposed to be settled. ["No, no."] Well, I believe a very large reward might be very safely offered to any man who should produce a new argument, or even a new shade of argument, upon this question; and I am perfectly sure that nothing whatever can be produced in this debate which would materially influence the issue of our deliberations. I myself have sought to go round the circumference of this question, and to look at it in every particular aspect, and I have a very uncomfortable conviction at this moment that I can say nothing whatever upon it which has not been said, and said better than I can say it, scores of times before. Still, I get over somewhat of that uncomfortable feeling from the great pleasure and satisfaction I have in tendering, on my own behalf and in behalf of a large section of the community with whom I have been connected in thought, in sympathy, and in action—I am satisfied and delighted at the opportunity of tendering, in my own name, and I think I may without presumption say in theirs, our most cordial thanks to the right hon. Gentleman at the head of the Government for the honourable and magnanimous manner in which he has redeemed his pledges to the country. I can partly appreciate the very costly personal sacrifice which the right hon. Gentleman must have made upon the altar of his patriotism. I have gone partially through the same experience. I can understand very well the pain which a man feels when, following the light of truth which he cannot resist, he finds himself travelling away from his early views and conclusions. I can sympathize with the right hon. Gentleman in having to undergo the vexing remarks and pitying regards of friends who disapprove the change that has taken place in his mind, harder a great deal to be endured than the assaults of malignity, the wild calumnies of your enemies, the taunts of your political adversaries, and oftentimes, and especially in this case, the wild abuse amid which "men who know not what they do" are crucifying your reputation. I say I am thankful to the right hon. Gentleman that he has risen superior to them all. I am personally indebted to him that he has revived in my bosom faith in the grander and more heroic virtues of British statesmanship—and I rejoice in the evidence which the Bill before us contains, that our faith has not been misplaced in his conscientiousness, in his truthfulness, in his grasp of great principles, in his mastery of details, and in his subordination of everything to his sense of justice. I am not this evening going to discuss the principles involved in the measure before us, because, as I said before, I think that they have been pretty well threshed out; but there are one or two remarks that I should like to make respecting the Bill, and the reasons why I shall give to it my most earnest support. Well, Sir, I regard it as a measure which is characterized by a majestic simplicity and greatness of purpose. What is that purpose? Is it to knit together in bonds of mutual trust and sympathy and affection two countries that are politically united under conditions which neither of them can destroy, and which neither of them can materially alter—conditions arising out of their relative geographical position, the tendencies and consequences of modern civilization, and the interlacing of their material interests. How is it proposed to effect the purposes to which I have just alluded? It is proposed simply to embody in the policy which we put in force towards Ireland the grand old precept—"Do unto others as ye would they should do unto you"—in short, to make justice the basis of our relations with and our conduct towards Ireland. Well, Sir, that policy must begin somewhere, and I think it rightly begins with the religious faith of the people; because none of us will for a moment deny that there is no cause more potent in irritating, and alienating, and maddening great communities of men than wounding them in their religious faith, whether it be by direct persecution or whether it be by legal contempt. In Ireland, I think the course that we have pursued in reference to the faith of the great bulk of the people has generated a tone of mind, as it always does, which operates to vitiate all susceptibility to kindness in other ways. It has exaggerated and inflamed the sense of wrong on every individual in regard to his minor and less important interests. Ireland, indeed, has long groaned beneath a sentimental grievance, and that sentimental grievance comes closely to Ireland's inmost heart. The right hon. Gentleman who has brought forward this Bill gave intimation to the House and to the country that he brought it forward simply upon the ground of doing justice to the Irish people by giving to them religious equality, and he has put before us his scheme in the most practical possible shape. He is not satisfied with producing before this House simply sympathizing thought, nor passing Resolutions which will come to nothing hereafter, or diminishing the outward and circumstantial extent of the grievances of which the Irish people complain. The Bill which he has brought forward goes to the very root of the evil, grapples manfully with the life of it, forges and wields the weapon which is to destroy it. And what is the effect of this grand simplicity of purpose? Why, Sir, for the first time for I may say half-a-century there comes across the countenance of Ireland a relaxation of her features; there is a gleam of hope, of trust, of gladness, timid and trembling, but natural and real, that shows that Ireland has passed, or is passing, the winter of her discontent. There is another evidence to which I wish to call the special attention of the House. Parliament but a very short time ago passed a measure to confer the elective franchise upon the working men; and an appeal was almost immediately afterwards made to the country to deliver its verdict upon the great question which had been put before it by the right hon. Gentleman. What was the consequence? It was that the deepest moral instincts of a people newly come into possession of political power were sensibly stirred, and in their return to the appeal which had been made to them they heartily—they almost instinctively—gave their "Aye" in favour of justice to Ireland; and even the Prime Minister himself must have been startled by the comparative unanimity, the thrilling earnestness, of the response which was made to his proposition by the working men of this country. I regard it as a most gratifying remarkable phenomenon. This question relating to Ireland did not in any way touch, or directly touch, their material interests, and if they put it in the forefront of their programme, I can bear my own personal testimony to the firm hold which the question took on their sympathy, their understanding, and their will. I can say that my presence in this House is an illustration of their interest in the question submitted to them by the Crown. No words of mine could do justice to the steady heartiness, self-denial, and indomitable persistence with which men—aye, and women too—worked and watched, wearied themselves and endured privations, in order that they might return me to this House, so giving testimony to the interest they took in the question which was then before the country. And what was the secret of it? Not that there was any personal feeling at all towards me, for I was a mere stranger, but simply because my name had been associated, whether rightly or wrongly, with this policy of regious equality both in Ireland and elsewhere. I regard this timely quickening of a strong sentiment of justice in the nation so soon after they obtained the franchise as one of the great benefits which resulted to the nation in consequence of the question having been put before them last Session. I believe I may state likewise, as another result of this simplicity of purpose in the Bill, that the right hon. Gentleman has rallied to his cause no inconsiderable portion of the religious life of the country. I put it to hon. Gentlemen opposite whether they expected that the response made, for instance, by Scotland—Protestant to the very core—to the policy put before the country before the close of last Session—whether the response made by the religious free bodies in England, all of them deeply and closely identified with what I may call Protestant principles and Protestant policy, would be what it has been. I put it to them whether they were not startled by the earnestness and promptitude and zeal and persistence with which these parties rallied round the right hon. Gentleman and supported the measure which he has brought forward. I am quite sure that this did not arise from any sectarian rivalry. I do not believe that there is in this country the slightest desire to injure the Protestant Episcopal Church in Ireland—I mean regarded as a spiritual body. She has done some good, and would have done much more if she had not been placed in a position so anomalous and so calculated to neutralize all her best efforts. I am only sorry that she does not seem to comprehend the mission with which she has been charged. And if she would consent to become a free Church, if she would throw off all the restrictions by which she is bound, she would find herself far more able to grapple with the difficulties that beset her than she now is, because hon. Gentlemen must not suppose that money and endowments are the only sources, or the sources at all, of religious life. I do not think that the Church of Ireland knows how much power she might possess beyond any that she now possesses—not, indeed, to ride in the ascendant as a political institution over the bulk of the community, but to do the work which she professes a desire to do—to hold up the Gospel to the people among whom she is placed, and to vindicate and justify that Protestant Christianity which is now stained and defiled in its reputation, not from any fault of her ministers, but simply because of her false position. I shall say nothing now respecting the great abstract principle which the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) placed before the House last night as the ground of his objections both to the disestablishment and the disendowment of the Irish Church. Other opportunities may perhaps occur, and especially while the Bill is going through Committee, to consider some of those objections in detail which were urged—and urged with great force I must admit—against parts of the measure with which he could not agree. But there is one, and only one, point which I shall allude to now, and it is this — The right hon. Gentleman seems to have come to the conclusion, and to have impressed it both upon the House, and upon a former occasion upon the constituencies, that in separating the exercise of political authority from religion, you remove one of the main safeguards of the civilization of man. I perfectly agree with the right hon. Gentleman. I believe as he believes, that there must be no disconnection between religion and the exercise of political authority. But is there the slightest danger of that in this Bill? I suppose that we, as Members of the Imperial Parliament, shall be able to act on precisely, if not on better motives, drawn from our common faith, after this Bill has passed than we did before. I suppose the Government of the country may be animated by as religious motives in every law which it proposes to enact after the separation of the Church from the State as it was before. The truth is, there would be no separation of religion from the exercise of political authority. I do not think that the policy which has been adopted and acted upon hitherto has produced much civilization in Ireland. If we look back upon the past—upon the Penal Code, upon the frequent suspensions of the Habeas Corpus Act, upon the restrictions and restraints that have constantly been imposed on the free action of the Irish people, I do not think that we could point to Ireland as the best illustration of the civilization which grows out of the exercise of authority in connection with religion. Well, Sir, I need hardly say I intend to vote for the second reading of this Bill. I do not intend to take part in those debates which relate to the various details connected with this measure; but, I with all my heart, and not as a sectarian—not from any mere ecclesiastical or theological bias one way or another—but from a sense, a sheer sense of the justice owing by this country to our sister country across the water, shall give my most cordial and, I may say, enthusiastic vote for the second reading of this Bill.

Sir STAFFORD NORTHCOTE: Sir, the hon. Member who has just spoken told us when he rose that he was oppressed by a sense of the unreality of his position, and he explained the meaning of this unreality by saying that this question had been so thoroughly discussed both in the last Session and during the election contests in the autumn that no new arguments could be brought forward upon it. Well, I do not suppose that any man in this debate will bring forward any argument that has not in some shape or other been used already with regard to the question now before us, but I will venture to say this, that the arguments that we brought forward last Session or in the course of the Recess will not be employed precisely under the same circumstances as those in which they were then adduced, and that there will be some novelty about them, because they will be applied to a different subject-matter. Last Session and during the elections we were discussing abstract Resolutions and proposals put forward in a somewhat shadowy form, and we were unable to grapple with them with that certainty and confidence with which we could grapple with a Bill. We were, therefore, placed under a disadvantage, because when we brought forward this or that argument against the abstract proposals submitted to us, we were always liable to be told that we were fighting with shadows, and that the point we objected to would not be contained in the measure. But now we are discussing the measure under different circumstances, and I can assure hon. Members opposite that, whatever unreality there may be in the arguments of Gentlemen on that side of the House, of which they must be the best judges, there is no unreality in the arguments with which Gentlemen on this side endeavour to discuss the Bill fairly and thoroughly, and to lay its merits or demerits before the country. Now, I am not a little interested to see how far arguments that were thought good enough by our opponents last year will be reproduced under the different circumstances in which we now find ourselves. I listened with great interest for what might fall from the hon. Member for Bradford (Mr. Miall), first, because—as he himself told us—he represented in the freshest possible form the actual sentiments of the country with respect to this Bill, now that they have seen it. He has come delegated by a most important constituency to support a particular measure the nature of which it appears they are perfectly cognizant; and we naturally expected to hear from him a compendious and powerful representation of the view which his constituents and those in whose name he is so well qualified to speak take of the measure before us. Sir, I was interested in what he might say for another reason; because he represents in this House not only the borough of Bradford, but in an especial manner, I think, the principles of that great body of our fellow-countrymen to whose opinions and influence I believe this measure is in a very great degree due. I was most anxious, Sir, to see how the discussion of this measure would be approached from the point of view of the representative of the English voluntaries. All through this evening, until the hon. Member for Bradford rose, the debate has been conducted with great ability and great interest by Gentlemen from Ireland. But it was quite natural and right that Englishmen also should take part in the debate, because this is not merely an Irish, but a national and an Imperial question—and a question on which it is very important that we should hear the sentiments of Gentlemen of all shades of opinion. In the debate of last evening there were several Gentlemen who approached this subject from different points of view; and there was one hon. Gentleman, a new Member of this House, to whose speech, although very short, I listened with very great pleasure —I mean the hon. Member for Bandon (Mr. Shaw) who told us he approached it from the Irish Churchman's point of view, and seemed to complain that English Churchmen took an inadequate view of the question, and that the views of Irish Churchmen were those which ought rather to be attended to. Now, I entirely admit that on the questions of detail, and especially with respect to the probable practical working of the scheme contained in this Bill, we ought to have a very great regard to the opinions of an Irish Churchman. But with reference to the great broad principles on which this measure is founded, I am afraid we can hardly think so much of what Irish Churchmen say about it, because I am rather inclined to think that so far as they have shown leanings in this debate, they—even those of them who sit on the other side of the House—are not altogether satisfied with the frame of the measure. Three of them spoke last night, and the impression they produced on my mind was that if they had had their way the Bill would have been of a somewhat different character. The hon. Member for Galway (Mr. Gregory) spoke. We know what his opinions have been, and we know also from the remarks he made last night what, if he had had his way, this Bill would have been. We know that he was dissatisfied with one important portion of this scheme—namely, the source for which the compensation to be given for the withdrawal of the Maynooth Grant and the *Regium Donum* is to be derived. But what did that hon. Gentleman tell us? He said, admitting that this part of the Bill was not altogether according to what he thought was right, yet, in deference to the Gentlemen who sit about him—that is, as I understand him, in deference to the Scotch Members and the representatives of the English voluntaries—he was prepared to sacrifice his own private opinion and support this measure. [MR. GREGORY: Hear, hear!] I find that I do not misrepresent the hon. Gentleman. I gathered even from a more important quarter—from the speech of the Chief Secretary for Ireland—that if that right hon. Gentleman had had his own way he would have liked to give a different character to this Bill. He told us, and told us truly, that for years past—as all who have had the pleasure of sitting with him in this House can testify—he had desired to see a measure of religious equality introduced into Ireland. But he also gave us to understand that, so far as he was concerned, the measure which he would have preferred would have been a measure that would have elevated the position of the Roman Catholics rather than one of disendowment and destruction all round. But it appeared that he, too, had to give way and sacrifice his own opinions to the necessities of the party with which he acts. And there was one rather remarkable expression which he let fall when he told us that this measure had the support not only of the majority of "thinking" people, but, as he said with considerable emphasis, the support of the "unthinking" people also. Now there is no doubt that it is one of the main supports of the Bill that it has the adhesion of such a large number of "unthinking" people. And when the hon. Member for Bradford (Mr. Miall) rose, I was in hopes that we were going to have a little of something to counterbalance that—some explanation of the grounds on which not "unthinking," but "thinking" men support it. Well, I must say I was very much disappointed by the speech of that hon. Member. Whether it is that he felt that there is a sort of unreality in the arguments which he adduced, or, for whatever reason I am unable to divine, his speech was certainly not of that convincing and striking character which we should expect from a Gentleman of his ability and position. What did he tell us with regard to this Bill? With regard, for instance, to the Irish reason for bringing it forward—for I believe there are two classes of reasons for bringing forward and supporting this Bill—there is what I call the Irish class of reasons, arising out of the state of affairs in Ireland; and there is what I may call the religious class of reasons, arising out of the great progress which has been made by what may be described as voluntary opinions in this country. What, I say, did the hon. Member for Bradford tell us with regard to the Irish part of the question? I forget his exact expressions, but he spoke as if this was to be the beginning of a new system of policy from England towards Ireland—as if this was to be the beginning of the relaxation of those restrictions under which Ireland had been suffering, and which had been the cause of so much ill-feeling between the two countries. He spoke as if the history of the last thirty years had been a blank—as if we were really now just in the same position as we were in when discussing the question of Roman Catholic Emancipation, and, perhaps, I might go even further back and say when we were discussing the question of the relaxation of the most strict articles in the Penal Code. Sir, we are not at the commencement of a new policy towards Ireland. When you speak of a new policy, let me say that with regard to the more cordial and friendly tone which England adopts in her relations towards Ireland we are not at the commencement of that state of things. For a great many years, and throughout the political life-time of all the public men of the present day, we have been steadily pursuing a course towards Ireland which was intended to have, and which has had, the effect of very much improving the relations between the two countries. We have been laying aside those old feelings, and therefore I say it is an entire misconception and delusion to speak as if this was the first beginning of the break-up of a long frost—the first beginning of the restoration, or rather of the creation, of feelings of amity and kindliness between the two countries. And I say it is the use of language like that which has such effect on those "unthinking" people on whom the Chief Secretary for Ireland places so much reliance. And it is because people are deluded by the eloquent speeches of men like the hon. Member for Bradford, full of platitudes, as I must call them, and false representations of that kind, that those who do not know the real state of English feeling nor the history of the last half or last quarter-of-a-century, are carried away by their enthusiasm to support some measure of this character. Then we also have appeals to another class of men—the intelligent foreigners, for instance, with respect to whom precisely the same thing holds good. These intelligent foreigners are not much acquainted with the exact course of our recent history. They know, perhaps, what went on many years ago. They probably have read the history of all the evils of the 18th century; and when they hear men who ought to know better—men in authority in this country—rising and speaking as if that state of things still continued between England and Ireland, they are naturally led to believe that the fact is so, and they accordingly give expression to strong feelings on the subject. But I contend that it is perfectly unfair and most unfortunate that that style of language and of argumentation should prevail among us. Now, the hon. Member for Bandon (Mr. Shaw), to whom I just now alluded, among several other good things which he said, made this remark, with which I felt very much inclined to sympathize. He said that for his part he did not like a discussion which had to be carried on in five-syllabled words. He gave rather—if he will forgive me for saying so—a Hibernian character to that expression, by proceeding to mention as one of the five-syllabled words to which he objected the word "robbery." Whether that particular word is or is not five-syllabled is not of so much importance; but I thoroughly sympathize with the hon. Gentleman in his dislike to those vague and high-sounding phrases which carry too much weight with them in proportion to their intrinsic merits. I wish that the hon. Member for Bandon would exercise his influence with some Gentlemen on his own side of the House, and ask them to be a little careful in the use of some of those five-syllabled words, and also a little careful how they use certain phrases that have a very grand sound, but of which the meaning is extremely indefinite. We hear, for example, a good deal about "religious equality." I think we might very profitably ask hon. Gentlemen to define a little more clearly what it is precisely that they mean by that phrase. I am not going to speak at this time about the term "religious equality," but I want to say a few words on another phrase which is very much in vogue on the other side of the House, and which has some kind of co-relation to religious equality—that is to say, the phrase "Protestant ascendancy." And I very much want to know what it is that hon. Members mean in the present day when they speak of Protestant ascendancy. With that expression we have been historically familiar for a long time past, but recently, and especially, I may say, last night, a very peculiar importance appeared to me to be attached to that phrase by the mode in which it was used. My hon. Friend the Member for South-west Lancashire (Mr. Cross) reminded the House last night of an eloquent passage in the speech delivered by the First Minister of the Crown on the platform at Wigan. It was to the effect that this question of the Irish Church was only a branch of a much larger question, that it was only one of many questions which like itself were branches from a larger stock or trunk; that that stock or trunk was Protestant ascendancy, and that it was for the hewing down of that trunk that he and his friends were prepared to gird themselves up and to use all their exertions. Now, among the questions mentioned as forming one of the branches was that of the land in Ireland, and I must confess it puzzled me to understand how it could be that the land question could be called a branch of the trunk of Protestant ascendancy. However, when the passage was quoted it was evident it was not a mere rhetorical flourish, because the Prime Minister immediately and in a marked manner, cheered the passage, and shortly afterwards the right hon. Gentleman the Chief Secretary for Ireland, rising and referring to the quotation, accepted it on the part of the Government with the manifest approbation of those around him, and told us that that was indeed a true description of the policy of the Government. That, of course, makes us still more anxious to know what this Protestant ascendancy really is. We know what it was a century ago. It then meant that the Roman Catholic population of Ireland were in every sense of the word a downtrodden people. They were excluded, not only from political privileges and rights, not only from office, from a share in the representation of the country, and even from the right of voting for representatives; but they were even excluded from the liberal professions, from every social privilege, and from the ordinary rights of citizens in regard to the tenure of land. If at that time a Minister of England, speaking of Protestant ascendancy, and saying he was about to demolish it, had been desirous of enumerating some of the branches of the trunk he was attacking, I can easily understand that he would have mentioned the land question as one them. But the Protestant ascendancy no longer represents anything of that kind. The Roman Catholics are now admitted to an equality with Protestants in all matters affecting their political and social position. And yet there still remains their bugbear of Protestant ascendancy with which hon. Gentlemen are able to conjure and alarm the people. But the right hon. Gentleman the Chief Secretary went on to tell us something which seemed to throw a light on what he meant. He told us that when he spoke of the Irish Roman Catholics he spoke of the Irish people, and that, I believe, was one of the most effective sentences in his speech. At all events, it was one which elicited great applause on the other side of the House, and it was one of which, in a certain sense, it is impossible to deny the truth and appropriateness. But if the term "Irish Roman Catholic" is synonymous with the Irish people, with what is the term "Irish Protestant" supposed to be synonymous? I suppose that Protestant ascendancy means English ascendancy, and that in point of fact what these Gentlemen are aiming at is the extinction of what they would call English ascendancy in Ireland. ["No, no!"] I do not mean when I use that expression that I suppose hon. Gentlemen are directly advocating a separation between the two countries; but what I understand them to mean—and it is the gist of a great many of the speeches we have heard—is that the Protestant Church in Ireland, as standing towards the Irish people, is an alien Church. Indeed, hon. Gentlemen are fond of telling us so. Some hon. Gentlemen have said that it is not the Church of Ireland, but the Church of the English residents in Ireland, and that it is, in fact, an English Church planted in Ireland. Now, what I understand them to desire is to put down in every possible way that ascendancy, as they call it, of that Church as the representative of English as contradistinguished from Irish feeling. If, however, that really is the policy which hon. Members are pursuing, and if the spirit of that policy is to animate them in their dealings with the other branches of this great question, such as the land question, I think we have a right, and it is important, to ask what are the guiding principles you intend to follow in dealing with other branches, because it would be extremely curious to see how hon. Gentlemen would apply the new construction they put on the word ascendancy when they come to deal with what they call the English ascendancy in regard to the land? We see what they mean when they speak of ascendancy in the matter of the Church. They do not mean that the Roman Catholic people are debarred from any social rights or privileges, or that the people of Ireland are in a disadvantageous position with regard to their own ecclesiastical arrangements. Nor do they mean that it is desirable to give assistance to the Roman Catholic people, or to raise them to a higher position than they now occupy. What they do mean is, that it is a wrong to Ireland that the English Church should retain its property. I want to know whether the same principle is to be applied to the English landowners when we come to talk of ascendancy as connected with the land?

["Oh, oh!"] Well, hon. Gentlemen groan at that, and I do not wonder at it; but will they tell me what in the world is the meaning of the mysterious and oracular sentence which was quoted and applied by them so as to mean that there is in Ireland a Protestant ascendancy which ought to be destroyed, and that one of the branches of that trunk is the relation between landlord and tenant? It is all very well for hon. Members to adopt the policy which they have adopted; but whenever we proceed to argue from what they tell us to what the natural consequence is, they interrupt us by groaning. What we want is, that some one of them should get up and make believe that we are thinking people, which probably, in their opinion, we are not. Making believe that we are able to understand, will they tell us, and through the House the country, what their real policy is, and what it is they are driving at? All we know with regard to the question of the land is that, whereas we were told last year that it was one of the most important and pressing subjects in the world, the policy of the Government in regard to it is now carefully kept in the background, and only a very little corner of the curtain which conceals it is lifted by the Bill. We hear of the experiment of peasant proprietorships and the establishment of small owners, whose properties are to be mortgaged to the State for three-fourths of their value. Now, I should like to know whether that is the kind of statesmanship which is to be applied to Ireland? It may throw a good deal of light on the future state of affairs in that country; but there is no use in hon. Gentlemen interrupting and groaning when one uses an argument of this sort unless they are prepared to explain what they really mean. With regard to this policy, I maintain that we are proposing to proceed on an entirely false basis. I believe that the Established Church of England, and especially that branch of it established in Ireland, is open to the most serious comments, criticisms, and censures from hon. Gentlemen opposite, from hon. Gentlemen on this side of the House, and from the country at large. I entirely agree that there is no defence whatever to be made for the conduct which this country pursued towards Ireland for a very long series of years, and that there is no defence whatever to be made for the part which the Established Church was made to play in reference to that conduct. Unfortunately for Ireland, and perhaps still more unfortunately for the Church itself, we cannot deny the truth of a great deal of what has been said on this subject. But it does not follow that because the relations of England and of the Church with Ireland have been bad they should always continue so. The real fact is that the Established Church of Ireland has been influenced by the spirit of the people of England. It has been a representative and sometimes a caricaturist of the faults or of the impulses of England; and what you really want to cure is not the existence or the machinery of this or that Establishment; but what you want to cure is the spirit with which England was animated when she treated Ireland as if she were a bond slave. When England was ready to screw down Ireland to the lowest point and to make a gain out of her in every possible way it was no wonder that she used the Church as an instrument of oppression. It was not only in ecclesiastical matters that England treated Ireland in this tyrannical manner. People often speak as if the Penal Laws were all enacted in the interests of the Church, and, perhaps, even at the suggestion of the Church, and as if there were no other considerations in the matter. But we must remember what the commercial policy of England has been towards Ireland. The spirit which pervaded the whole of our ecclesiastical relations with Ireland in the last century likewise pervaded our commercial relations with that country at the same period. England destroyed her trade and crippled her shipping, and it was during that period that the Church was made an instrument of oppression. But it is our duty not to throw aside or break up this instrument which we have in our hands in the Established Church, an instrument which I believe to be as fully capable for doing good and conveying the kindly sentiments of England to Ireland as of doing harm, or conveying her evil spirit. We ought, I say, to endeavour to improve our relations with that country. I say more, we have been doing this, and if I am asked what it is we look to for the future, I would answer, we look to the continuance of the policy on which this country has been acting for the last thirty or forty years—tentatively no doubt—slowly and imperfectly, perhaps, but at the same time with very satisfactory results. Those results are, of course, not yet completely satisfactory. The right hon. Gentleman at the head of the Government twitted me last year when I ventured to observe that Ireland required a long course of just and considerate legislation. The right hon. Gentleman asked if a period of 700 years was not a long time for the work of conciliation. Yes, Sir, but we have not been at that work for that period. For perhaps 650 years we have been working in an opposite direction, while it is only during the last thirty or forty years that we have been trying to undo that work; nor ought it to be so much a matter of surprise to some hon. Gentlemen that we have not been able, within that comparatively short time, to undo all the evils which we had so seduously laboured to create. We have, however, accomplished a good deal, and everybody who will look back and compare the relations between the two countries which now exist, and those which existed half-a-century ago, must, I think, admit that there is a great improvement, not only in the material condition of Ireland, but in the spirit with which she and this country regard one another. What we ask, then, is that you will not begin this work of yours by doing a great wrong to Ireland in the interest of England. What I regard as the most real and bitter sarcasm in your Bill is the provision which you have inserted in it dealing with the grant to Maynooth and the *Regium Donum*. You are anxious, you say, to commence a policy of conciliation towards Ireland, and what is the first thing you do? Do you make any sacrifice on the part of England—any pecuniary sacrifice or any sacrifice of prejudice? Neither of the one nor the other; but you pander to the prejudices of the voluntaries, to whose conception this Bill is, I believe, in a great measure due, and subserve the interests of the British Exchequer by, in the first instance, robbing Ireland of an annuity of £70,000 or £80,000 a year. That circumstance in itself raises a suspicion, and the suspicion is not lessened by the knowledge that this is done, so far as I understand, in contravention of the pledges which I thought we had given last year. I understood that it was on no account to be admitted that England should profit by this property which you are about to take from the Church in Ireland. We were led to suppose that this act of spoliation was to be one of the purest and most self-sacrificing that were ever committed. Now, on the contrary, we find that the only one thing about which we can feel quite certain in the pecuniary arrangements of this Bill is that about £1,100,000 is to find its way into the English Exchequer. There are other pecuniary arrangements also, about which much may be said; but I do not mean to enter at present into these questions, because they may be looked upon as being really rather questions of detail than of principle. What I wish now to impress on the House is my conviction that it is not for the interest of this great kingdom of England, Scotland, and Ireland herself, and not consistent with the duty of this country taken from the highest point of view, to adopt this measure for the destruction of the Irish Established Church. We must bear in mind that England is not for the English nor Ireland for the Irish, and yet I believe that if you pursue that principle of destroying Protestant ascendancy or English ascendancy to its full and legitimate consequences, you will eventually find yourselves landed in the doctrine of Ireland for the Irish. You may not be prepared to go that length, but such will be the result of your policy; and you may depend upon it that anything which tends to bring about such a result, and to close up the sympathy of the two countries for one another, and to diminish the influence which the one ought to have on the other, will be bad for both. The influence of England on Ireland may, I believe, be extremely beneficially exercised if only exercised judiciously. You must have an English population or a population sympathizing with and representing England in Ireland. You ought to put these people on the footing which is best suited to their national character, and which will enable them to develop that character in the best possible way. It accords with the genius of England that that should be done by means of the Established Church. I do not for a moment dispute that the voluntary bodies in this country are of very essential service to the State. I do not deny that they act in many respects as a useful adjunct to the system of the Established Church, and I have no doubt that many of them with their great zeal, and comparatively greater freedom, are of advantage to us in various ways. But I am of opinion that England with an Established Church and a considerable number of voluntaries independent of it is in a very much more favourable condition for the human mind than if we had only these voluntary bodies by themselves. I maintain, then, that it would be injurious to England, and if so it would be injurious to Ireland—which is so closely connected with this country—to destroy an institution which I look upon as being of such essential value to the English character. Very great weight, I think, ought to be attached to what fell from my right hon. and learned Friend the Member for the University of Dublin (Dr. Ball) this evening as to the effect which would be produced in Ireland by converting the Established Church in that country into a mere voluntary body. It seems to me, speaking not from a personal or special acquaintance with Ireland, but from a general acquaintance with the principles of human nature, that my right hon. Friend is right, and that if we reduce the Established Church in Ireland to the position of a voluntary body and send it out into the world in an impoverished condition, which is proposed, the result will be to create strife and contention, and to convert it into an aggressive body, which is not at present its character. I repudiate the argument which some hon. Members use when they say that the English Church has failed in Ireland because she has not succeeded in making a greater number of proselytes. My answer to that argument is that it is not her mission to make proselytes. What I consider her mission to be is to soften asperities between the two religions in Ireland, not by in any way sacrificing the distinctive doctrines which she herself holds, surrendering an atom of the truth, or aping the practices of other communions, but by displaying herself in her true colours, and by showing of what English Churchmanship really consists. My belief is that if the members of the Anglican Church, either in England or Ireland, would devote themselves to showing the true spirit of that Church, and how she can make plain the truth and right by being liberal and charitable towards others, she would do a great deal of good, not by proselytizing, but by winning souls to her and softening the asperities between races. It is my opinion that if you look forward to the gradual fusion or the cordial union of the Celtic and Anglo-Saxon races in Ireland, you must trust to the operation of these influences, and I therefore say that you are not acting with true kindness to Ireland, or taking the proper steps to produce harmony between her and England by proposing such a measure as that before the House. I will yield to no man in the desire to act fairly and even liberally toward Ireland. We owe her, I think, great reparation for great and long-continued wrong, and if I thought the proposal of the right hon. Gentleman at the head of the Government would conduce to her tranquillity and happiness, I should put aside any prejudices which I may have and support that proposal. But it is because I am sincerely convinced that it will have rather a contrary effect that I feel it to be my duty to offer to this Bill my decided opposition.

MR. BRIGHT: Mr. Speaker, not a few of the Members of the House are well aware that for many years—I may say from the first hour almost when I was competent to give an opinion on the politics of this country—I have had a very decided opinion on the question that is to-night before the House. Therefore it may not be improper that I should take part in this important debate. I was glad when I heard that the right hon. Gentleman who moved the Amendment—at the head of what is still a considerable party—intended to debate this question, and to divide the House upon the second reading of this Bill. Because, although the details of the measure, as the House has already heard, are many of them of great importance, yet it must be admitted on both sides of the House that the real and essential good or evil of the measure is to be found, not in any one of its details, but in the principle on which it is founded. We have to decide this —whether the Protestant Established Church in Ireland shall cease to exist as a State institution. And it is not because Establishments have been universally condemned throughout the kingdom. That is not alleged at all; for, though I myself have no faith in political religious Establishments, and believe in the voluntary principle, yet I am willing to admit—and it would be foolish not to admit it—that at present a belief in the usefulness of Established Churches appears in this country to have the sanction of a majority of our people. The question is not at all, whether Establishments are good in themselves or good anywhere, but whether, with regard to Ireland, it is necessary that the Church Establishment shall be removed. After all, perhaps it might be well to ask the House whether we believe there is a great Irish question—that it meets us every day—that we are compelled at last to confront it, and whether for the settlement of that question, if there be such a question, it is necessary that the Irish State Church shall be removed. Is there a great Irish question and a great Irish difficulty? The right hon. Gentleman who has just resumed his seat (Sir Stafford Northcote) has made a speech that he might have made on the most trivial question that could come before the House. There was not a sign from the first word of the speech to the last that he was considering or grappling with—or, indeed, that there existed—a great and serious question that was before the House with reference to Ireland. I shall call only one witness in proof of my opinion that there is such a question, and that we cannot avoid it. And I shall not appeal, as I might do, to the almost unanimous judgment of the civilized and Christian world. I will not appeal to the divisions, and the debates, and the majorities of the last Parliament upon this question. I will not appeal to the opinion and to the great verdict of the new constituencies; and I will not appeal to the chronic or spasmodic discontent — whichever you please — which exists in Ireland. I will call only one witness, and he shall be a Member, and an eminent Member of this House. I will call the son of the long-trusted Leader of your party, who has been an eminent Member of at least two Administrations formed by Gentlemen who sit on that side of the House, and who has been for many years, as we all know, the most trusted and confidential adviser and counsellor of the right hon. Gentleman the Member for Buckinghamshire. I shall appeal to the opinion and to the public declarations of the noble Lord the Member for King's Lynn (Lord Stanley). I think that, on a former occasion, whether in the House or out of it I am not sure, I referred to a remarkable statement of that noble Lord at a remarkable time. The House will remember a great Conservative banquet that was held at Bristol fifteen or sixteen months ago. — ["Hear, hear!"] — The hon. Gentleman who cheers, perhaps, was present at it. Now, the noble Lord the Member for King's Lynn is not a person who is guilty of "heedless rhetoric." There are few men in this House better informed. There is no one in this House more calm and impartial in his judgment. I know no speaker who is more measured and careful in his language. Yet, what was it that the noble Lord said, not in the heat of debate in this House—and that probably would not have affected him—but to a great party of his own friends at this political banquet at Bristol? This was what he said. He spoke of Ireland with evident feeling. He is the son of a great Irish proprietor. He is not unacquainted with that country. I think on one occasion he said he knew every tenant upon his father's estate—a great deal more than many English proprietors of land in Ireland could say. At this banquet he spoke of Ireland, and these were the words he used. He spoke of—

> "The painful, the dangerous, and to us, in appearance at least, the discreditable state of things which continues to exist in Ireland."

He described it as "a miserable state of things." He said—

> "We have a strange and perplexing problem to solve. If we look for a remedy, who is there can give us an intelligible answer?"

Such was his despair of this question; and he concluded with this emphatic declaration: "Ireland is the question of the hour." Well, Sir, I am not sure that since Belshazzar's feast there has been any announcement more startling, more solemn, or more calculated to disturb the merriment of a great and joyous banquet. If I had used these words in a speech they might have been thought an exaggeration of the case; and if my right hon. Friend at the head of the Government had opened his great speech with these words they would not have been more solemn than the occasion demanded. But what happened? Parliament met a little more than a year ago, and the right hon. Gentleman and his Friends were upon this (the Treasury) Bench; and I was where the hon. Member for Portsmouth (Sir James Elphinstone) sits, watching carefully all that took place. On the night when my hon. Friend the Member for Cork (Mr. Maguire) brought forward his Motion we were all expecting the explanation of the policy of the Government with regard to Ireland. An announcement had been made only a few days before in the other House of Parliament that the policy of the Government would soon be explained from this Bench, and the Earl of Mayo, on that occasion, the Chief Secretary for Ireland, rose and addressed the House for the exact time of three hours and twenty minutes. I noticed that the speech of my right hon. Friend the First Lord of the Treasury the other night in introducing this Bill took precisely the same time. But I observed—what the House must have observed—that there was a great difference between these two speeches. Lord Mayo spoke of the material improvement of Ireland, and he gave us large sums in figures to show us how that improvement had proceeded. He admitted the grievance of the ecclesiastical inequality existing in Ireland, and he indicated a mode of dealing with it that was felt to be so absolutely impossible, that afterwards, under the pressure of the difficulties in which it involved his Colleagues, he repudiated it and denied it; and it finally ended in this—that the Government had no policy at all. Sir, I hope that Lord Mayo, who has since been promoted to the Governor Generalship of India, may find in that country no difficulties with which his kindly nature and his good intentions may be unable to cope. I said there was a difference between the two speeches although they were of the same length. The speech of my right hon. Friend, instead of having no policy, or a policy which he was condemned afterwards to deny and repudiate, was one which elaborated a grand policy for Ireland—a policy which is included in this Bill—and it is so balanced and so complete that I ask the House on both sides if it be not a fact that it has attracted to it the sympathy and support of the great bulk of the people of the three kingdoms. ["No!"] I say that your speeches during this debate are proof that you feel it. Protestant England and still more Protestant Scotland, have joined heartily with Catholic Ireland in approving the policy which is set forth in the details of this Bill. The matter stands thus—that there is an Irish question, and the noble Lord the Member for King's Lynn is my witness for it; and there is an ecclesiastical grievance in Ireland, and the Governor General of India is my authority for that statement. And last Session they were Members of your Cabinet, and were in constant daily communication with the Prime Minister the Earl of Derby, and subsequently with his successor the right hon. Gentleman (Mr. Disraeli) who sits opposite me. But it was a question that the late Government was totally unable to grapple with. They did nothing, not because they did not comprehend the question. The right hon. Gentleman comprehends all these questions just as well as any man in the House. He understood this question twenty years ago. But to show how totally unable the late Government was to deal with this question, I appeal to those Members of the House who were here last year. They will recollect that the speeches of Lord Mayo, of the noble Lord the Member for King's Lynn, of the right hon. Gentleman the late Secretary of State for the Home Department (Mr. Gathorne Hardy), and of the right hon. Gentleman since, in that party, First Minister—that these speeches did not agree; that in point of fact in all they said on the floor of the House there was just as much confusion of speech as there has been on Irish affairs for centuries past. The noble Lord the Member for King's Lynn said that the patient was in a desperate and almost hopeless state. Lord Mayo said that he was wonderfully better. The right hon. Gentleman the Member for Buckinghamshire said he was perfectly well, and his condition was eminently satisfactory. And the right hon. Gentleman the late Home Secretary—he took all the febrile symptoms of the patient as indications of perfect health. And it proved what the country found out at the elections, that the Government of the right hon. Gentleman did not comprehend the malady, or had not the courage or the power to grapple with it. And the constituencies decided that as this was a great question that must be confronted it was desirable to have a Parliament and a Government that could satisfactorily deal with it. The hon. Baronet the Member for Londonderry County (Sir Frederick Heygate) asked a question which the right hon. Baronet (Sir Stafford Northcote) has asked within the last hour—what is meant by Protestant ascendancy? The hon. Member for Londonderry said he had never seen it, and that he did not comprehend it; and there was such child-like simplicity in his manner of asking it as made me believe that he really was saying exactly what he thought. May I ask hon. Gentlemen opposite—not those on this side of the House, for we are a good deal convinced—and though it has been said that nobody is convinced by a speech in this House, and it would be presumption in me to suppose I could convince anybody, yet as we differ I should like to ask hon. Gentlemen opposite a question or two. Is it or is it not a fact that the Established Church in Ireland is the Church of conquest? The right hon. and learned Gentleman (Dr. Ball), who made so powerful a speech to-night from the other side of the House, said that this Church was based on a certain Act of Parliament, which declared that unless the Bishops and clergy would preach, pray, and perform the services of religion according to the pattern of the Church of England, they could not hold sees and livings in Ireland. Now, what is an Act of Parliament—that is to say, an Act of the English Parliament and Government? It was merely a mode of asserting the power which conquest had given to England. The Church in Ireland is therefore the Church of conquest. Not only was it historically so, but I will maintain—and there is no Member of this House who will deny it—that by no possibility can the Church of a small minority of Protestants remain for 300 years established in the midst of a nation of Catholics except by the power which founded it—namely, the power of conquest. ["Hear, hear!"] I am amazed at hon. Gentlemen disputing that, if anybody is disposed to dispute it; but if they do not dispute it, I am amazed that they do not perceive the tremendous violation of the principles of the Protestant Reformation that is involved in that state of things. For if the Protestant Reformation did not mean that any one of us may hold the opinions which belong to our consciences and our convictions, surely it meant at any rate that a nation may make its own choice of its own Church and its own mode of worship; and, therefore, to establish a Protestant Church—the Church of a small minority of the people as the State Church—in the midst of a Catholic nation was the most flagrant violation of the principles of the Reformation that has taken place, I will be bound to say in Europe since the days of Luther. But, if that be so, what is it that has maintained it from that time to this? The right hon. Baronet who has just spoken from the opposite Bench (Sir Stafford Northcote) spoke of the Penal Code exactly as we speak of it, and he condemns those who in the last century supported the cruelties and enormities of that system. Why, fifty years hence—it may be said to be a safe prophecy, as there will not be many of us here to know whether it comes true or not,—but fifty years hence there will be men on the Conservative side of this House—for there will always be a Conservative side—who, looking back to the conduct of their party in the year 1869, will express their amazement that intelligent men were found, after the experience of 300 years, to support the State Church of Ireland. The right hon. Baronet (Sir Stafford Northcote) sneered at the opinions of the intelligent foreigner. Well, I have in my hand the expressed opinion of a very intelligent foreigner, who whilst he was living was known to many Members of this House—I refer to the late eminent Italian Statesman—Count Cavour. My friend Dr. Hodgson has made an admirable translation of Count Cavour's work on Ireland, an extract of which, if the House will permit me, I should like to read, because it brings down the question a little from the ground of abstract reasoning to that of contemporary judgment. He says—

> "The results of this inhuman code were lamentable. The cruelty was purely gratuitous, for, far from losing strength, Catholicism became all the stronger from the hatred with which the poor Irish regarded the religion of their oppressors. Every attempt at conversion failed. The English Parliament, in the belief that it was promoting the established religion, merely, by its unjust laws, placed at the mercy of the rich Protestant proprietors of the soil the Catholic population, who in three-fourths of the country were almost exclusively its cultivators. The Penal Laws, which at first religious fanaticism had inspired, lost by

degrees their primitive character, and in the hands of those who applied them became a means of social domination. During the greatest part of the eighteenth century, the Irish peasant was reduced to a state of slavery worse than that of the negro in the Antilles. Thanks to anti-Catholic legislation, and to the manner in which it was applied, it was more difficult for him to obtain justice from a Protestant grand jury than it is now for a slave in the French colonies to obtain it from the magistrates sent out from the mother country to administer the laws. During this period Ireland presents the saddest spectacle to be found in any civilized society—complete and absolute oppression of the poor by the rich; of him who labours by him who possesses, organized by the law, and maintained by the ministers of justice."

That statement will be admitted to be true. ["No, no!"] Hon. Gentlemen who say "No" know Ireland only in her better days, and I am sorry their reading has not been more extensive on this subject, as otherwise they might have been better informed. Well, then, for 300 years I say there has been a perpetual protest against this state of things; and the Irish people—for I use the term, notwithstanding what the right hon. Gentleman said—or nine-tenths of the population of Ireland, have during the whole of that time, every day and every hour, in some shape or other, protested against the continuance of that State Church. Some Members have said, "You have a State Church in England, and nobody complains of it." But though I may think the State Church in England not a good institution, yet it is not to me a sign of foreign conquest. My forefathers were members of the State Church, though for reasons they thought sufficient they left it; but if the State Church had been inflicted upon us by a power from across the Channel, I am not sure that any of us who do not agree with it would have regarded it with that tranquil mind with which we can look upon it now. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) last night treated us to a little of that kind of history which he often introduces into his speeches. He said he thought there was no guarantee in this country for liberty and toleration like that of the Established Church. The right hon. Gentleman—I judge from his speech at Edinburgh a year or two ago, from his speech last night, and from some other speeches—reads a different history from anybody else; or rather, perhaps, he makes up his history as he goes along. He reminds me of what was said, I think, of Voltaire, that he wrote history far better without facts than with them. If he thinks it is true that the Church has been so favourable to liberty in this country, some of us, who are Dissenters, and whose parents and grand-parents have been Nonconformists, have a very different opinion. I recollect that Hume, the historian, who was not at all favourable or friendly to such views as I entertain, observes, speaking of a time with which most of us are in some degree familiar—

> "So absolute was the authority of the Crown that the precious spark of liberty had been kindled and preserved by the Puritans alone, and it is to that sect that Englishmen owe the whole freedom of their Constitution."

I suspect that the Nonconformist party in this country have succeeded to the heritage left them by those who are termed Puritans. Well, but Scotland also has its State Church, and England tried at one time to force its system upon Scotland, but most happily failed. I agree with my hon. Friend the Member for Bradford (Mr. Miall) that there is no point in which you can touch or insult or wound a nation so intolerably as when you meddle with its religious institutions, its conscience, and its mode of worship. You may send an alien Governor General or Lord Lieutenant to Ireland, you may send alien Judges, you may impose taxes partially and harshly, and by-and-by the people will become accustomed to that state of things, and apparently not unwilling to wear the chain; but if you wound them in this tenderest part, their religion, that is an injury that can never be forgotten, and there can be no cure for it but by removing entirely the cause of the wound. Now there are two things that your Church has professed to do. I heard from the noble Lord who spoke from the second Bench to-night (Viscount Crichton)—and I am surprised, I must say, that Gentlemen who speak with so much mildness and so much fairness here, are really unable to discover the greatness of the grievance which this Established Church is in their country—I heard, I say, from the noble Lord the Member for Enniskillen, that the Church of Ireland was not intended to be a Church to convert the Catholics. That was not said at the time of its foundation, and has not been said by many of its friends since; and the defence that I have heard in this House, and have often seen in the public Press, is that it is a Church that is to do something, what it can, to convert Catholics to Protestantism. The right hon. Gentleman the late Secretary of State for the Home Department (Mr. Gathorne Hardy) said it was to hold out the lamp, or the light, of the Reformation in the dark places of Ireland. Well, then, I say, that if the Established Church of Ireland has a pretence for its existence, it is that it shall do something to bring over the people of Ireland to the Protestant religion; and, secondly, that it shall help to unite Ireland with Great Britain in a friendly and permanent union. Has it been a success or a failure? I ask the hon. Baronet the Member for Londonderry County (Sir Frederick Heygate)—I put my question to him, because it is impossible not to see that he has some sympathy on this question, certainly with the condition of Ireland, if not with the remedy that we propose—I ask him whether, as a matter of conversion, the Established Church has been a success or a failure? He will say, as I shall say, and as no man will deny, that history, in all its saddest pages, has not a case of greater and more complete failure in that respect. Is it not known perfectly to all of us that Ireland is more Catholic at this moment than it has ever been before; and what, I think is much worse than that, that Ireland is more Roman than any other Catholic country probably in Europe? And what is more, from Ireland has come to England whatever there is of power that belongs to the Papal system in this country, and from Ireland has overflowed and settled on the continent of America a very great and powerful Catholic interest. And therefore, as far as that is concerned, it seems to me to be that no failure could be more complete. I have said many years ago, and I repeat it now, that by the policy which England has pursued in Ireland we have made Catholicism, not a faith only to which people cling with a desperate and heroic tenacity, but we have made it a patriotism for which multitudes of her children are willing to suffer, and, if necessary, even to die. And what should be more likely than that, because this State Church, this Protestant ascendancy which hon. Gentlemen opposite profess not to comprehend, has been for three centuries leagued with every form of injustice of which the Irish people have complained, whether connected with the confiscation of their soil, or with the terrors and cruelties of the odious Penal Code, or with the administration of the law, or with any social tyranny to which they have been subjected? I would quote again three lines from that essay of Count Cavour's on this point, in which he says—

> "The Church remains, to the Catholics, a representative of the causes of their miseries, a sign of defeat and oppression. It exasperates their sufferings and makes their humiliation more keenly felt."

And if I pass from this question of conversion, it is to come to one that seems to me really to possess greater importance—has it done anything to bind Ireland to Great Britain? ["Yes."] Well, it has—just as the police and the soldiery have—but in no other way, and to no greater extent. The policy of the Act of Union, in my opinion, was a wise policy; the mode by which it was brought about was one of unexampled corruption and of wrong. You revere the Act of Union, and last Session you had, I think, the Fifth Article read by the Clerk at the Table. You will not have a word or a letter of it changed or touched; and yet, strange to say, everybody but your own party believes that your policy makes union absolutely impossible—that you conduct the affairs of Ireland upon such a principle that you create a sense of wrong which over-rides all written words and all parchment covenants. For centuries, we all know, Ireland has been restless, turbulent, and insurrectionary. The right hon. Gentleman opposite admitted that in part of his speech last night; and during the Recess—I forget now exactly where it was or when—he attributed much of it to the fact that the Irish lived in a country where they had a damp climate and in the neighbourhood of a melancholy ocean. Now, I have not the least objection to a joke at the proper time, but I do think that for the Prime Minister of England, under circumstances such as these, when throughout the whole country there is a painful sensation that we have not done justice to Ireland, and that Ireland is no credit to the Imperial Government, I think it is carrying hilarity and jocoseness a little too far to make an observation like that on so grave a subject. But if we come down to the seventy years during which this House has governed Ireland. we find things much in the same way, The pages of her history have been stained with tears and blood. There have still been restlessness and turbulence and insurrection appearing and re-appearing constantly on the records of her sad and dismal story. The right hon. Gentleman the late Secretary of State for the Home Department (Mr. Gathorne Hardy), who spoke last Session with a power which the House, I am sure, must have admired, and who spoke, I think, what he believed, referred to the Church in Ireland as the light of the Reformation; and he appeared not able to comprehend that this light of the Reformation, sustained by privilege, and fanned as it has been by the hot breath of faction, has been not so much a helpful light of the Reformation as a scorching fire which has burned up almost everything good and noble in the country, and industry and charity and peace and loyalty have perished in its flames. Now, Sir, I am for union as much as any Gentleman on that side of the House, but I am for a real union. I care nothing at all for the parchment nor for the Fifth Article. The parchment will decay and perish, and the words upon it will become illegible, and will be forgotten. The geographical position of these islands points out to every man that union is natural between them, and I maintain that a true and solid and just union between Ireland and Great Britain is infinitely better for both than any kind of severance can possibly be. But it must be a real union, not of power and weakness, and of weakness trampled on by power. Hon. Gentlemen opposite, and men who have discussed this Bill in the House and out of it, tell us that it appears here only as the result of what would be called in America "a Fenian scare," and that but for certain events which happened last year, and the year before, the policy of this Bill would not have been avowed by the present First Minister. ["Hear, hear."] Well, suppose it were true, it only adds another proof to the many going before it, that it is difficult with popular Government, and with party Government to make great and essential reforms unless under circumstances which force them absolutely upon the attention of Parliament. You know very well—Irish Gentlemen know as well as English Gentlemen—that the Catholic Association led to Catholic emancipation. They know that the dethronement of the Bourbons, an event which took place in a foreign but neighbouring country, brought about the Reform Bill of 1832. They know—I know at any rate—that the desperate condition of affairs in the West Indies freed the slaves in the English colonies. We all know that the famine in Ireland came as an irresistible argument to bring about the repeal of the Corn Law. We know also that the mutiny in India drove the House immediately, and without further consideration, to abolish the East India Company, and to make an entire change in the government of India. And, Sir, if I were to come down to a later time, and speak of what took place in 1867, I might ask the right hon. Gentleman opposite and his Colleagues and his party what were the circumstances that induced them to be enthusiastic in support of a measure of household suffrage? It is a matter that we can but deplore, that it has required three years of the suspension of the Habeas Corpus Act in Ireland, and those other grievous events which have happened in Ireland and in England, to enable Parliament to undertake, and as I believe successfully, to carry through a policy which almost every enlightened and liberal Statesman in England for the last fifty years has hoped for, but feared he would not see. Then hon. Gentlemen tell us that discontent in America is also a very serious matter, as it causes Fenianism, which in turn has caused this Bill. We cannot deny that the existence of the disturbing cause in America is, unfortunate and irritating, but the theory of the Government is—it may be a mistake, but I believe it is not—that the remedy which will heal, in part or in whole, the disorders in Ireland, will heal much of the discontent of Irishmen everywhere. There is not an Irishman in the Australian colonies at this moment, there is not one on the continent of North America, who is not watching, as he reads the papers, the course of the English Parliament on this question; and unless his spirit has been maddened into that state of resistance when he will listen to no reason and to no fact he is feeling probably a softened disposition towards the Imperial Government and this House of Commons for the measure which we are now attempting to carry through Parliament. And with regard to America, this I think I may tell hon. Members opposite that the Fenian agitation in America has been fed, to a considerable extent, by a certain sympathy on the part of the people of the United States —I mean the natives of the States—who really do believe that we have never done justice to the native country of the Irishman. I believe that Irishmen will still emigrate when you have done what may be done this Session and the next. The right hon. Gentleman is apparently much afraid that something desperate is about to be done with regard to the land. At least, so far as I am concerned, he may rely on this, that nothing will be done with regard to the land which the principles of political economy will not support—and which everything that is moral and just in the conduct of political affairs may not fairly undertake. I say the great Republic will still invite, no doubt, vast numbers of the population of Ireland; but I believe they will go there no longer as enemies, and that the complaint, which Lord North made, so long ago as the first American War, will at length be put an end to, and England henceforth will not find her greatest enemies on the American continent to be those that have issued from the shores of the United Kingdom. Sir, I will not go into the details of this Bill, for this reason — that we are only upon the second reading of it; but so far as I have been able to gather of public opinion, the Bill meets the view of the public in this way — that it is whole and complete, that it deals fairly and justly with all who can claim any compensation under it. If there is anybody in Ireland, or any class, which has a right to complain, it surely must be the 4,000,000 or 4,500,000 of Roman Catholics. I think it will be felt by the House—whatever may be the opinion of any Member of the House—upon the question of the Catholic Church, that in this Bill the very least has been proposed as to compensation for Catholics and for their Church that it was possible for any just Government to propose. I do not suppose that I shall come within the range of the wishes of the right hon. and learned Member for the University of Dublin (Dr. Ball). His speech to-night has been generally a complaint that this Bill adopted the voluntary principle for Ireland; that the voluntary principle was bad; that what you should have done was to have increased the grant to Maynooth, to have elevated the condition of teaching there. In point of fact, that doctrine that was first avowed last Session, and then repudiated and denied, has been brought forward in a more daring manner to-night. The heaviest complaint almost against the Bill has been that it would establish the voluntary principle in Ireland, instead of establishing the Roman Catholic Church. And we are told of the desperate evils that will come when, instead of having one voluntary discontented Church, we shall have three. Surely the right hon. Gentleman (Mr. Disraeli) and his learned Colleague (Dr. Ball) really cannot have supposed that the House would be taken in with anything so very small and so hollow as that? The Catholic Church in Ireland is not discontented because it is not endowed. It is discontented because another and a smaller Church—in numbers a comparatively insignificant Church—is established there, not by the power or consent of Irishmen, but by the power and will of the Imperial Parliament, and that to this very small and comparatively insignificant Church has been handed over all the ecclesiastical revenues which belonged in ancient times, and which now justly belong, to the whole of the Irish nation. But some hon. Gentlemen opposite have a great feeling for the congregations. So have I. I think the congregations have a right to excite the sympathy of Parliament. But I have seen other congregations, and how they emerged from their difficulties. In 1843, nearly 500 ministers in Scotland, not waiting for an Act of Parliament to disendow them, walked out of their manses. They left many charming residences, and many nice churches. They quitted homes in which they had spent many of the happiest years of their lives. They went out as a Church absolutely naked. There was not a church left for them, nor a glebe house, nor a curtilage, nor commutation; and, I will be bound to say, not a single good wish, or "God bless you," from any man on that side of the House. Do not—do not tell the House that your Irish Protestant congregations are feebler and worse than the congregations in Scotland. What have they done since in Scotland? It is told in a sentence, though it would take weeks to survey it all. They have built 900 churches, not less than 650 manses for their ministers; they have built 500 schools, three theological Colleges, and two training institutions; and during the last three years—I have not the accounts further back—they have raised, on an average, by the voluntary subscriptions of their members, not less than £370,000 per annum; and during the twenty-five years that have elapsed since these 500 ministers walked out of the Established Church, their congregations have raised, by voluntary contributions, a sum exceeding £8,000,000 sterling. The right hon. and learned Gentleman the Member for Dublin University had the courage to say, in the presence of many members of Nonconformist bodies, that ministers of voluntary churches were rather a low class—that they were not so high-born as the very high-born clergy of the Establishment. As to being high-born, I think the Prophets of old were, many of them, graziers. The Apostles were fishermen and handicraftsmen; and their religion was one to which "not many mighty, not many noble" were called. It may be that in this age and in this country the light of the Reformation and the light of Christianity may be carried through the land by men of humble birth with just as much success as may attend men who were born in great mansions or in palaces. The right hon. Gentleman the Member for Buckinghamshire argued very much in favour of an Established Church, on the ground that there ought to be some place into which people could get who would not readily be admitted anywhere else. What the right hon. Gentleman wants is this, that you should have an Established Church which has no discipline, and that anybody who will live up to what may be called a gentlemanly conformity to it may pass through the world as a very satisfactory sort of a Christian. Sir, these are arguments that I should be ashamed to use. If I were a Churchman I would either find better arguments or I would keep silence. And I believe, if I were forced to keep silence, I should be obliged to give up the belief that the Church was much better than the Nonconformist bodies. My opinion is that you do great injustice to the Protestants of Ireland. Is there any reason why, for example, the Scotchmen in the North of Ireland—the Presbyterians — should be less liberal or energetic than their countrymen of the Free Church in Scotland? And why should the Episcopalian Protestants in Ireland, when freed from the trammels of the State, be less active and successful than their neighbours, the Presbyterians, and their co-religionists the Presbyterians of Scotland? I believe that your sickly offspring of privilege and favouritism may become the robust champion of the light of the Reformation; and perhaps we may live to see the day when the right hon. Gentleman will make a recantation at this table. The Earl of Aberdeen, who was only a few years ago Prime Minister of this country, told me in 1856, at his house in Scotland, that no public event connected with Scotland had, during his long life, given him so much pain as the separation in the Church of Scotland — and that he had lived long enough to see that all his lamentations and fears were vain, and that it had been one of the very happiest events that had ever come to his country. He spoke of the Church, he spoke of the schools, and he said there was a great additional life spread throughout the whole people. If that should take place in Ireland, then the light of the Reformation, which now glimmers so faintly that no man can see it, may become a light shining over much of that island; and to those who think it important it may be satisfactory to hope that Catholicism, in its extreme and Roman sense, may give place to a more liberal religion, and approximate nearer to that which we think better—namely, the faith and religion of the Protestant Churches. It is too late to-night to go into the question of the surplus. There is one thing that I should say about it—and I say it in the hearing of my hon. and learned Friend (Sir Roundell Palmer), who is understood to take a different view of this question from some on this side—John Wycliffe, as the House knows, lived 500 years ago. He was born in the town of Richmond, and he was, perhaps, the first and greatest of the English Reformers. John Wycliffe was obliged to consider this question — as to what should be done with regard to religious endowments; and he said—"If Churches make bad use of their endowments princes are bound to take them away from them."

It is not too much for us to say that if endowments are found to be mischievous Parliament may put them to other uses. I sometimes wonder how it is that in 500 years we make so little progress on some subjects. That was the opinion of Wycliffe in the 14th century, and we are now discussing the same subject in this House; and right hon. hon. and learned Gentlemen get up in this House and denounce as almost sacrilege and spoliation any attempt on the part of the Imperial Parliament to deal with the endowments of the State Church in Ireland. And as to the uses to which these endowments are put. If I were particular on the point as to the sacred nature of the endowments, I should even then be satisfied with the propositions in this Bill—for, after all, I hope it is not far from Christianity to charity; and we know that the Divine Founder of our faith has left much more of the doings of a compassionate and loving heart than He has of dogma. I am not able to give the chapter, or the verse, the page, or the column; but what has always struck me most in reading the narratives of the Gospel is how much of kindness and how much of compassion there was, and how much also there was of dealing kindly with all that were sick, with all that were suffering. Do you think it will be a misappropriation of the surplus funds of this great Establishment to apply them to some objects such as those described in the Bill? Do you not think that from the charitable dealing with these matters even a sweeter incense may arise than when these vast funds are applied to maintain three times the number of clergy that can be of the slightest use to the Church with which they are connected. We can do but little, it is true. We cannot relume the extinguished lamp of reason. We cannot make the deaf to hear. We cannot make the dumb to speak. It is not given to us—

> "From the thick film to purge the visual ray,
> And on the sightless eyeballs pour the day."

But at least we can lessen the load of affliction, and we can make life more tolerable to vast numbers who suffer. Sir, when I look at this great measure—and I can assure the House I have looked at it much more than the majority of hon. and right hon. Members opposite, because I have seen it grow from line to line, and from clause to clause, and have watched its growth and its completion with a great and increasing interest—I say when I look at this measure I look on it as tending to a more true and solid union between Ireland and Great Britain; I see it giving tranquillity to our people; ["Oh, oh!"]—when you have a better remedy I at least will fairly consider it—I say I see this measure giving tranquillity to our people, greater strength to the realm, and adding a new lustre and a new dignity to the Crown. I dare claim then for this Bill the support of all thoughtful and good people within the bounds of the British Empire, and I cannot doubt that in its early and great results it will have the blessing of the Supreme, for I believe it to be founded on those principles of justice and mercy which are the glorious attributes of His eternal reign.

Sir Roundell Palmer moved the adjournment of the debate.

Debate *further adjourned* till *Monday* next.

INCLOSURE AWARDS (COUNTY PALATINE OF DURHAM) BILL.

(*Mr. Bentinck, Sir Roundell Palmer, Mr. William Lowther.*)

[BILL 44.] SECOND READING.

Order for Second Reading read.

Mr. AYRTON said, there would be no objection to the Bill passing that stage if it were understood that it must be materially altered in Committee by striking out a clause which provided that the Treasury should give compensation to some gentlemen who performed local functions. He would suggest that the hon. Member in charge of the Bill should communicate with the hon. Member for Durham, and arrange with him what was to be done.

Mr. BENTINCK said, he should be glad to do so, and to take the second reading on the understanding mentioned.

Bill read a second time, and *committed* for *Monday* next.

IMPRISONMENT FOR DEBT BILL.

On Motion of Mr. Attorney General, Bill for the abolition of Imprisonment for Debt; for the punishment of Fraudulent Debtors; and for other purposes, *ordered* to be brought in by Mr. Attorney General, Mr. Solicitor General, and Mr. Chancellor of the Exchequer.

Bill *presented*, and read the first time. [Bill 61.]

House adjourned at a quarter after Twelve o'clock, till Monday next.

HOUSE OF COMMONS,

Monday, 22nd March, 1869.

MINUTES.]—New Writs Issued—*For* Hereford City, *v.* George Clive, esq., and John William Shaw Wyllie, esq., void election; *for* Blackburn, *v.* William Henry Hornby, esq., and Joseph Feilden, esq., void election.

Public Bills—*Second Reading*—Irish Church [27], *adjourned debate further adjourned;* Civil Officers Pensions* [42]; Drainage and Improvement of Lands (Ireland) Supplemental* [55].

Committee — Report — Brazilian Slave Trade* [58]; Inclosure of Lands* [31]; Salmon Fisheries (Ireland)* [51].

*Considered as amended—*Marine Mutiny*; Lands Clauses Consolidation Act Amendment* [34].

*Third Reading—*Mutiny*; Lord Napier's Salary* [57] and *passed.*

POSTAL—BOOK POST &c.—QUESTION.

Mr. MACFIE said, he would beg to ask the Postmaster General, What are the reasons why the advantage of being conveyed by the Book Post is limited to printed and such-like matter; of what nature are the obstacles that stand in the way of a properly guarded removal of the present limitation; whether the Evening Mails for England are despatched from the Metropolis at about the same hour as in the era of Stage Coaches; whether there would not arise much public benefit from despatching these Mails at a later hour; what are the reasons why that benefit has not yet been conferred; and, whether he has any hope of being able to favour the Nation with the concessions that form the subject of the foregoing Questions?

The Marquess of HARTINGTON: The reason, Sir, why the book post and pattern post rates have not been extended to parcels is, I believe, that those rates have not been found sufficiently remunerative to justify their further extension. This obstacle, of course, still stands in the way of the removal of the present limitation. I believe, however, there also other obstacles. One of the principal is, that if the Post Office were to encumber itself with the conveyance of a much larger quantity of heavy matter than it does now, it is probable that the chief object of the Post Office—namely, the rapid and certain delivery of letters—would be very injuriously interfered with. With regard to the other Question, I believe it is true that the evening mails are despatched about the same hour as they used to be in the time of mail coaches, but it ought to be remembered that under the present system letters are delivered much earlier all over the country than they were formerly. The Post Office, I may mention, takes the opportunity whenever a later train is despatched of sending a bag by that train, but I do not think that there would be any general advantage in altering the hours at which the mails are despatched. It was obviously impossible, for financial reasons, to run trains at a late hour in the evening solely for Post Office puposes.

GREECE—BRITISH PAYMENTS TO.

QUESTION.

Mr. KIRK said, he would beg to ask the First Lord of the Treasury, If it is true that a sum of £1,139,198, according to a Parliamentary Return dated the 20th of February last, has been paid by England to Greece since the year 1843 to the present time; and, whether these sums have been paid in accordance with any Treaty, Convention, or Contract between England and Greece; if so, what were the political objects sought for by the British Government at the period when such Treaty, Convention, or Contract was concluded between this Country and Greece, and have these objects been attained; if not, are Her Majesty's Government prepared to recommend to Parliament the further payment of such moneys for an indefinite period, or are they prepared to signify to the Hellenic Government that after a certain period no further sums of Money will be paid by England to Greece?

Mr. GLADSTONE: Sir, the matter of fact which enters into the Question of my hon. Friend is very easily answered. It is true that a sum of £1,139,198 has been paid by England since the year 1843 up to the present time, and that it has been paid to Greece in the sense of being paid in order to prevent defalcation in the regular dividends on a certain portion of a Loan on behalf of Greece, which Loan was contracted under our guarantee. It has not been paid to Greece, therefore, for her own disposal or to use it at her own discretion, but in fulfilment of an engagement into which this country has entered. Next, it is a fact that the whole of these sums have been paid in accordance with treaties, conventions, and contracts; and not only so, but in accordance with treaties, conventions, and contracts, which from their nature were brought under the notice of Parliament, and which received the sanction of Parliament. Indeed, without such sanction these sums could not have been paid even if Her Majesty had pledged herself to the payment. The political object sought by the British Government in connection with other Powers, especially France and Russia, was the establishment and security of the liberty and independence of the Kingdom of Greece. The degree in which that object has been attained is, of course, a matter on which there can be no difference of opinion, but before the present King of Greece assumed the Throne, a new Convention was entered into, and it was then declared by these Powers to be for the interest of Europe that the Greek Kingdom should continue to exist in a state of political independence. At that time, also, a certain sacrifice was made by this country, which engaged to give up the dividends which the Greek Government would have to pay to us in consideration of a certain regulated sum of £12,000 a year. That arrangement received the sanction of Parliament. With regard to the last portion of the question of the hon. Gentleman as to whether the Government are prepared to recommend to Parliament the further payment of such moneys for an indefinite period, I am afraid I have no option but to say that it is, under covenant, absolutely the bounden duty of this country to continue to pay these moneys until either the loan is liquidated, or we can prevail on the Government of Greece to make provision for the payment. In 1860, when the regulated payment of £12,000 from Greece was agreed upon, that sum was not accepted as a permanent arrangement, but as the minimum sum that Greece was to pay. It was fully understood that, in proportion as her resources and financial condition might improve, the Powers would be at liberty to require of Greece the further, and, if possible, the complete, carrying out of her engagements.

UNIVERSITY OF DURHAM.—QUESTION.

MR. STEVENSON said, he wished to ask Mr. Solicitor General, Whether he is willing to make provision in the University Tests Bill to extend the benefits of that measure to the University of Durham?

THE SOLICITOR GENERAL replied, that as far as he was concerned, he did not propose to introduce clauses into the University Tests Bill to extend its provisions to the University of Durham. He confessed he was not acquainted with the precise constitution of the University of Durham. Of course he should not offer any obstacle to any hon. Gentleman proposing such clause or clauses if he thought fit to do so. Indeed, as far as he was concerned, he had not the smallest objection to the Bill being so extended.

IRELAND—NATIONAL EDUCATION. QUESTION.

MR. KEOWN said, he wished to ask the Chief Secretary for Ireland, If he can give any information as to the time when the Report of the Royal Commission to inquire into the system of National Education in Ireland is likely to be forthcoming?

MR. CHICHESTER FORTESCUE said, in reply, that the Royal Commissioners were anxious that the Commission should be prolonged until March of next year, this extension of time being necessary, they considered, in order finally to wind up the proceedings of the Commission; but upon the application of the Government the Commissioners had signified their full expectation that they would be able to supply their Report before the end of the present year.

METROPOLITAN RAILWAY—PALACE-YARD STATION.—QUESTION.

MR. HERBERT said, he wished to ask the First Commissioner of Work, When the passage leading from Palace Yard to the Station of the Metropolitan Railway is to be opened?

MR. LAYARD, in reply, said, he had hoped the passage would have been opened before the present time. There had, however, been some delay with respect to underground works connected with the sewers and gas, which had to be removed. The work had now been commenced, and he had been assured by the architect that it would be completed within four months.

DISTRICT ASYLUMS—QUESTION.

MR. W. H. SMITH said, he wished to ask the President of the Poor Law Board, If the amounts of £56,600 and £44,000 respectively, specified in the Returns relating to Asylums (Metropolis) as the estimated cost of the structures of the Fever and Small Pox Asylums at Stockwell and Homerton, include all charges necessary to the completion and fitting of the Asylums for the reception of patients; and, if not, the estimated additional amount which will be required for that purpose; and, if he will state the number of beds to be provided in the proposed new hospitals for the chronic sick, bedridden, and acute sick in each of the Sick Asylum Districts of Newington, Kensington, Rotherhithe, Poplar, Central London, and Finsbury?

MR, GOSCHEN said, in reply, that the sums specified in the Returns to which the hon. Gentleman's first Question related did not include the amount paid for furniture and things. His hon. Friend the Member for Finsbury (Mr. M'Cullagh Torrens) had moved for a Return showing the cost of the site and the cost of the structures. The Poor Law Board had applied to the managers of the Metropolitan Asylum District for the estimate, as asked for, and they gave the original estimate for the structures. It was stated in the Returns that these estimates were subject to material alterations which were under consideration, and which would effect a reduction. That reduction, in the case of the Stockwell Asylum, had now been settled, and was ascertained to amount to £5,600. But, on the other hand, the estimates for fixings, furniture, and fittings had since come in, subsequent, he should add, to the publication of the Return, and the Poor Law Board was not in possession of the information which the estimates furnished when the Returns were asked for, nor had the Board yet had the opportunity of examining the items, so that the estimates for furniture and fixtures must as yet be regarded as simply provisional. They amounted to about £16,000, besides a sum of £6,700, which represented 10 per cent for possible contingencies. The hon. Member would understand that those amounts could only provisionally be accepted as correct, and that the figures which he had mentioned applied to the Stockwell Asylum, and not to the Homerton, of which he had not yet received any estimates beyond the cost of structure given in the Return. With respect to the second Question, the hon. Member, who was himself a member of the Metropolitan Asylums Board, might possibly be aware that a different arrangement would be carried out in the case of Finsbury to that originally contemplated. The same remark applied more or less to the cases of Newington and Rotherhithe, which were under the consideration of the Board, and they might possibly be dealt with also in a different manner. With regard to the number of beds originally proposed, they were as follows—and he might observe that the estimates for the number of beds were those of the managers of the Asylums, and not of the Poor Law Board, though the inspector had conferred with the managers. The number of beds at Newington was about 600, at Kensington 600, at Rotherhithe 500, at Poplar 570, and in Central London probably about 600. These were entirely provisional estimates, with regard to which no decision had at all been taken, and with respect to which he hoped to be able to make a statement when the Bill to amend the Metropolitan Poor Bill of 1867 came on for discussion.

POSTAL—STORNOWAY.—QUESTION.

MR. GRIEVE said, he would beg to ask the Postmaster General, Whether, having reference to a Memorial from the inhabitants of Stornoway, dated 1st of January, 1867, to his Lordship's predecessor in Office, and one from the Chamber of Commerce at Wick, dated February last, to his Lordship, praying for proper postal accommodation—namely, "A daily steamer in summer and thrice a week in winter, as in the case of the Orkneys"—is to be carried into effect; and whether the Inhabitants of Stornoway have offered to his Lordship to pay the sum required to make up their postal revenue to the same amount as that of the Orkneys, at the period of their obtaining the mail steamer to Thurso, or an alternative proposal of £500 a year for three years, in part of the expense of a mail steamer between Ullapool and Stornoway?

THE MARQUESS OF HARTINGTON replied that the cost of the present postal service to the island of Lewis and the expense connected with the Post Office in the island itself already absorbed the whole of the postal revenue derived from it. Any additional postal facilities, therefore, which might be given would cause considerable loss to the general revenue of the Department. It was therefore not, under these circumstances, his intention to recommend that "a daily steamer in summer and thrice a week in winter" should be subsidized by the Government. He believed it was true that the inhabitants of Stornoway had made the proposal referred to by the hon. Gentleman in the latter part of his Question, but he could not admit that there was any any analogy between the case of the Orkneys and Stornaway, because the distance in the latter case was much greater, and the expense would, as a consequence, be much heavier. He had only to add that there was no intention on the part of the Post Office to make any alteration such as that which the hon. Gentleman suggested.

BIRMINGHAM BOARD OF GUARDIANS.

QUESTION.

MR. DIXON said, he would beg to ask the President of the Poor Law Board, Whether his attention has been called to the following facts—namely, that on the 16th instant, the Chairman and four other members of the Birmingham Board of Guardians were summoned by the District Poor Law Auditor for a surcharge of £8, and ordered to pay the amount, that sum being the cost of conveying Sarah Simpson and her eight children to Liverpool, in order that they might be shipped thence to the United States, the husband, who was living there, having paid the passage money; that the Board of Guardians passed a resolution requesting their Chairman not to pay the surcharge, and that the Poor Law Board was appealed to, but declined to sanction the payment of the £8 by the Board; and, whether, if the alleged facts are true, the President of the Poor Law Board will state the grounds on which the appeal was refused, and a surcharge ordered to be made?

MR. GOSCHEN, in reply, said, his attention had been called to the facts mentioned in the hon. Gentleman's Question through the usual channels of information, as well as by the hon. Member himself and his right hon. Colleague in the representation of Birmingham. The facts in themselves were correctly stated, although being placed not in a proper order they were calculated to give an erroneous impression of the transactions referred to. No appeal had been made to the Poor Law Board since the summons had been issued, and there had been no correspondence on the matter since January, beyond a letter written to the district auditor, asking whether the sum referred to had been paid. The case, he might add, was not a new one, for the £8 had been spent as far back as August, 1867. There was, also, one fact which was not mentioned in the enumeration of facts contained in the Question, and which was most material. The fact to which he alluded was that the guardians asked, in the first instance, whether the Poor Law Board would sanction the payment. The Board replied that it would be contrary to the regulations to do so, but the guardians, nevertheless, after that information, chose to incur the responsibility. He would presently state why it was that the Poor Law Board had refused their sanction in the matter; but he should first say that the Order refusing the surcharge was issued on the 14th of December, two days before he took charge of the Department. A letter had since been received from the guardians asking for re-consideration. The opinion of counsel had been taken on a previous occasion, upon the question whether such Orders could be rescinded, and that opinion was in the negative. They were in the nature of judicial decisions. The matter, therefore, had been finally closed when he came into Office. He had been asked on what grounds the Poor Law Board refused to remit the surcharge. The grounds were that the United States had expressed dissatisfaction at having paupers sent there, as he had once before stated to the House. There were remonstrances on the subject, and the Poor Law Board were, therefore, obliged to establish the regulation which had given such offence to the guardians. It was not the policy of the Board to oppose emigration in the least, but they had found it necessary to make the regulation in question. He himself was most anxious to modify it if it could be done. The Guardians, he hoped, would not continue their protest against the Order, which he trusted, after this explanation, they would feel to be unnecessary.

COMMUNICATION BETWEEN RAILWAY PASSENGERS AND GUARD.

QUESTION.

Mr. H. B. SHERIDAN said, he wished to ask the President of the Board of Trade, Whether any uniform system has been agreed upon between the Railways and the Board of Trade for giving effect to the Act of last Session requiring that a means of communication should be provided between the Passenger and Guard of Railway trains?

Mr. BRIGHT: Some weeks ago, Sir, the representatives of the principal railway companies north of London called at the Board of Trade. They were a very important deputation, and recommended a mode of communication between the drivers and the guards, and between the passengers and both. After having examined it, and hearing the statements of the deputation, the Board of Trade sanctioned the application of that system to those railway companies. It is known as the rope system, and is a very simple, and, I hope, effective means of communication. Upon the South-Eastern, which does not run trains in connection with any of the northern lines, another system—the electric system—has been adopted, and sanctioned by the Board of Trade. But if railway companies run carriages on lines where the rope system is adopted, it will be necessary, I presume that the rope system should also be adopted by them. The Board of Trade has not sanctioned this system irrevocably, but has allowed it to be fairly tried, and it is my hope and opinion that in all probability it will be found quite effective, and that no change of system will be necessary. If, however, after trial, it should be found ineffective, the Board of Trade will be at liberty to recommend any other system which may be found more efficient.

IRELAND—FENIAN CONSPIRACY.

QUESTION.

Colonel ANNESLEY said, he rose to ask the Chief Secretary for Ireland, Whether it is true that, on the 22nd of February last, a man, named Smith, was arrested in the county of Cavan, for having in his possession Fenian documents and resolutions, regularly printed on green paper, and containing plans and schemes of the Fenian conspiracy, dated 1869; and, whether it is the intention of Her Majesty's Government to recommend the liberation of any more Fenian convicts? He hoped the right hon. Gentleman would be able to give a distinct answer to the latter part of the Question.

Mr. CHICHESTER FORTESCUE: It is true, Sir, that a man named Smith was apprehended upon the date mentioned, and that what were apparently Fenian documents were found in his possession, one of them being printed upon green paper. This person has been committed for trial. With regard to the second part of the Question of the hon. and gallant Member, I am not able to add anything to what I said when a Question was last asked upon this subject—namely, that it was not the intention of the Government to offer any further advice to the Crown on that subject.

SCOTLAND—EDUCATION.—QUESTION.

Sir EDWARD COLEBROOKE said, he wished to ask the Lord Advocate, Whether the Government will lay before Parliament their proposal for the future distribution of the annual Grants for Education in Scotland under the Rules of the Privy Council, or by any other authority, before their Measure relating to the Schools of Scotland is brought before the House?

The LORD ADVOCATE said, in reply, that in the Bill which was before the other House of Parliament there was a Schedule announcing generally the principles upon which the rules of the Privy Council were to be made applicable in Scotland. Until, however, that Bill became law it was impossible that these rules could be finally adjusted, and, therefore, it would be impossible as yet to lay before Parliament the final proposals upon this subject. But as the matter excited a good deal of interest in

Scotland—and it was well that there should be no misunderstanding as to the proposals of the Government in the event of the Bill substantially becoming law—he had to state for the information of the House, that in adjusting the Rules of the Committee of the Privy Council to be applied to Scotland, the Government proposed to adopt the principle of payment for results on the following conditions, which were adapted to the system long established in that country, of supporting schools by local rates, and which would be carried out, provided the system of rating be extended so as to meet the full demands of national education — First, that no distinction should be made in the payments from the Committee of Council in consideration of the class of society to which the parents of children attending school belonged. He believed that, as a general rule, the children of all classes in Scotland mixed freely in the schools. The second condition was that the principle which was partially adopted in the Minute of the late Vice President of the Council (Mr. Corry) should receive a more extended application in Scotland, and that, up to the age of sixteen, children might be examined on subjects higher than Standard Six of the Revised Code. But, third, that the above Rule relative to the higher branches should be limited to landward parishes; and, fourth, that no payment in respect of higher subjects should be made unless the average number of the scholars attending any school should have reached a specified standard in elementary branches.

INCLOSURE OF LANDS BILL.

QUESTION.

In reply to Mr. T. CHAMBERS,

MR. KNATCHBULL-HUGESSEN said, that owing to the opposition which had arisen to the inclosure of Wisley Common, in Surrey, he should not think it right to press this Bill at a late hour of the night; but, as it would be obviously unfair to stop the inclosures which were unopposed, he should omit Wisley from the Schedule, and a full inquiry would be instituted, probably by means of a Committee, before any steps were taken to enclose that common.

IRISH CHURCH BILL—[BILL 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[THIRD NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Disraeli.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

SIR ROUNDELL PALMER:* Mr. SPEAKER, I do not think it is possible that there can be any Member of this House to whom this measure has been the occasion of greater anxiety and solicitude than than it has been to myself. Almost all the motives which most powerfully actuate and influence human nature would lead me to be desirous of giving my support to the Bill proposed by my right hon. Friend at the head of the Government. If general agreement of political opinion were sufficient for that purpose, I may say that there is no man whom for many years past I have so much wished to see occupying the position which my right hon. Friend now fills; and having for nearly nine years been acting in close and cordial co-operation with the party who occupy the Benches on this side of the House, I am bound to say that nothing has occurred during that time which has made me otherwise than proud of and satisfied with that connection, and full of sympathy for the high and patriotic aims which I know to actuate that party in general, and full of personal respect for all the Members of it with whom I have been brought into immediate contact. If personal attachments, if a sense of the highest personal and political obligations could be enough to determine any man's course upon this occasion, there are no attachments of mine stronger than those which I bear to some of my Friends sitting on the Bench below me; and from the first time that I became connected with them until now nothing has been omitted which could possibly have been done to make me more and more deeply indebted to them for every sort of consideration and kindness. The House will therefore believe that if I am unable to go with them upon this question, it is only under a sense of imperious and overwhelming necessity. My difficulty is not diminished because there are points on which I certainly cannot profess to differ from the advocates of this measure. I have no sympathy whatever with those who impugn the motives either of my right hon. Friend at the head of the Government, or of any of those associated with him in this undertaking. I know their motives to be as pure, I know them to be as completely reconcilable in their minds with a just regard to the interests of religion as my own, or as those of any other man; and I hope that in expressing, as I mean to do with freedom, my own opinions upon this subject, I shall not be betrayed into a single word which can for a moment cast the slightest reflection upon their intentions or motives. Furthermore, I cannot shut my eyes to the fact that there is a real crisis in Ireland; a crisis to my mind the more grave and the more serious for the very reason that Ireland has been improving for many years in its condition; for the very reason that the Legislature of this country has shown so much anxious care to make the union with Ireland a real and hearty union. These circumstances, instead of producing a political reconciliation between the majority of the people of Ireland and the people of this country, seem only to make things worse, and I cannot but think we are called upon, more than at any previous period, deeply to consider the causes of this evil, and discover, if we can, a remedy for those causes. I agree with what was so eloquently said by the President of the Board of Trade, that we ought, if we can, discovering that remedy, to lay aside all party considerations whatever, and be willing to make any sacrifice—be it merely a sacrifice of interest, of prejudice, of feeling, not of duty—which would meet so grievous a state of things; and even upon the point of the disestablishment of the Church, I shall presently show that there is a certain length to which I might be able myself to go in company with my right hon. Friend.

When I look at this Bill, I cannot conceal from myself that the principle of it is not disestablishment simply in the sense in which I use that term, but disestablishment accompanied by universal disendowment. That is a principle to which I cannot agree. It is advocated as an act of justice. To my mind it is a great act of injustice. It is advocated as likely to have salutary and beneficial consequences. I confess that I apprehend from it consequences which may tend to destroy the salutary effect of those parts of the measure, from which I might otherwise have anticipated good results. It is my duty to inform the House how far I am able to go with the Government on this point of disestablishment. I mean by disestablishment the severance of direct political relations between the institutions of the Church and the laws and government of the State. Taking it in that sense, and carefully separating the question of disendowment from disestablishment, I must say I cannot agree with those who say that the severance of the political relations of the Church with the State is, and necessarily must be, an abnegation of national Christianity, or an act of national apostacy. It appears to me that such a view is founded on an entirely false notion of the vocation of civil government and of the nature of national religion. The duty of civil government is to govern all and every part of the country committed to its charge with impartiality and justice, and with a regard to those interests which it belongs to human laws to protect. National religion, as I understand it, is not any profession, embodied in laws, or forms and ceremonies, made by those who are at the head of the Government; but it is the religion of the people who constitute the nation. It may be, and must naturally be under many states of circumstances, that the religious convictions of the people will express themselves in the forms and institutions of their Government. Under all circumstances, they must exercise a great influence over public legislation; and if the rulers are religious men, whether as members of a legislative body like this House, or as administering public authority in any other way, they will carry with them their religion, and be controlled or guided by its moral influence, in the discharge of all parts of their duty. But the forms of national institutions do and must, in this as in all other respects, vary from time to time, according to the circumstances of the country; and it is impossible to lay down *à priori* a rule to decide whether this change or that change tends to a departure from the national religion. Every single individual will be in point of religion what he was before the change, and therefore unless you believe that those who advocate the change have themselves departed from the principles of their religious profession, it is a monstrous and self-calumniating thing to say that an act of the nature now under consideration is an act of national apostacy. These views receive confirmation when they are examined by the light of history. In reality nothing has more changed and fluctuated in form and almost in substance than this idea of Establishment, as applied to the Church in this country, and to the institutions of the State in relation to the Church. The idea of Establishment at this day is different from what it was in the time of Elizabeth and Mary, and down to the time of the Revolution in 1688. It then meant that the Church and its doctrines were by the law of this country incorporated with the laws of the realm, and every person was presumed and commanded by law to be a member of that Church; and he was punished by the temporal law if he did not discharge the duties belonging to a member of the Church. That is a totally different sort of Establishment from any now existing in this country. There were, doubtless, persons who, when the Toleration Laws were first introduced, thought that we were giving up national Christianity because we did not any longer compel every citizen to profess the faith of the Church, which had been until then identified with the State. Do we not know, with respect to the Penal Laws, which all of us now condemn, that there were men who looked on every one of them as a badge and mark of national Christianity, and fancied that if we removed them we should shake the foundations of the faith? Do we forget how our metropolis was agitated in the last century, when propositions were made for the mitigation of those Penal Laws, and how it was said that if those propositions should be successful the light of Protestantism would be extinguished? It is well known that many persons declared, when the Roman Catholics were first admitted to political power, that the extension of that privilege to them amounted to a giving up of national Christianity. The same thing was said when we admitted the Jews to this House. But have we been—I speak of the nation as a whole—less Protestant or less Christian since? Those who are Roman Catholics now — still speaking generally—were Roman Catholics then; those who are Jews now were Jews then; the religion of the people is the same, not having in any way altered. These adjustments of institutions to the necessities of civil government, as time went on, simply tended to make the Government a more true and faithful representative of the social condition and actual state of the people; and the exclusion of any classes of persons from their fair share of political power, on the ground that they do not belong to a dominant Church, is no longer recognized as being good either for the State or for the Church. Therefore we must approach the question of any political privilege given to the Church by considering whether the privilege is for the public good; for if it be not I am sure it is not likely to be for the good of religion; and, if it were good for religion, it would doubtless be for the public advantage. In the case of Ireland, I ask myself whether there are or are not valid reasons of State for the existence of that political privilege which constitutes an Establishment, and which may or may not be of utility to the Church. I confess I am at a loss to see in what point of view the political privilege of which I speak is at present useful for the spiritual objects of the Irish Church. We are bound to inquire—first, whether there is or is not reasonable ground for believing that this political privilege of the Protestant Episcopal Church is one of the causes of disaffection among the great body of the Irish people; and, secondly, whether it can be justly maintained for reasons higher and more important than those which are put forward to justify its removal. The hon. Member for Hertfordshire, in moving the Address to the Crown on the first day of the Session, said that what some people call sentimental grievances are calculated by their nature to excite most substantial irritation. There is real truth in that observation. The same feelings which prompt men to make great sacrifices for political freedom, or for national honour, are excited to resist any form of political ascendancy, which is created and maintained by external power in favour of any class, who, if that external power were removed, would have no moral right to claim it. The case is not as if there were one Church Establishment for the whole United Kingdom—Scotland is, for this purpose, separately considered; and it is natural that Ireland should claim to be so too. But then, if the grievance consists in a violation of the national sentiment, what ought to be the remedy? Why should the remedy go beyond the disease? If the grievance is political ascendancy, surely the removal of political ascendancy will be the sufficient remedy. The grievance consists in giving, by State Establishment, to the Church of a small minority of the Irish people a superiority of rank, and an exclusive right—a right which no other religious body in the country possesses—to have its laws deemed part of the laws of the land, to have courts maintained for the execution of those laws—in the association of the Sovereign with the appointment of its chief officers, like the great officers of State—and in the introduction of those chief officers into the highest seats in one of the two Houses of the Legislature. These are the signs and marks of political ascendancy, these are the political privileges, these are the things that cause this rankling and irritation of feeling; and, in my humble judgment, the exigency of the case, this so-called sentimental grievance, may be met by the corresponding remedy—by the removal of those distinctions which elevate factitiously the political position of this particular Church above the other religious bodies in the country. But the question, whether you will take away their property seems to me an entirely different thing.

I come, then, to that question; and I ask whether, if you concede what I have conceded—if you do what I have stated myself willing to acquiesce in—although, of course, it would be with reluctance that, belonging to the Church of England, so long associated with the Church of Ireland, I could see anything like an apparent diminution of the honour and dignity of the Church, to which I am deeply attached—yet, conceding what I have conceded, I ask, is it really a necessary consequence of it, that you are to introduce and pass this measure of universal disendowment? I will try and limit myself to the use of the word "disendowment." It means the same thing with another word, "confiscation," which I have been quoted in this debate as using elsewhere, but which I did not use as a word of contumely. As I take it, that word properly means taking property not at present rightfully in the coffers or treasury of the State, and putting it there. It is not to be denied that there are occasions and causes which might justify acts properly described by the word "confiscation." The question is, whether this is such a case. I confess I think not. I turn, then, to the question, is this universal disendowment a necessary consequence of taking away political ascendancy and political privilege? As a fact, it may possibly now have become so; but if so, who made it necessary? I do not think that such a necessity would be inherent in the nature of the change. I cannot be persuaded that it is a necessity arising from the justice of the case. It may have now become a political necessity; but I can take no part in the responsibility unless I think it always was so, and is also just. I will first ask whether any kind of precedent can be found for it? I confess I know of none. It appears to me unparaleled even by the extensive appropriations of Church property at the time of the Reformation in this country, appropriations which, I suppose, no one will deny, were attended or followed by very serious evils, and which few people have entirely sympathized with, though they may be thought to be politically necessary. These appropriations were of property belonging to institutions which it was deliberately thought should cease, not merely as then established, but should altogether cease to exist—institutions which were thought practical evils in themselves, and which it was considered the interest, if not the duty, of the State altogether to suppress. Had that been the view taken of the present Church of Ireland, of course we might have admitted the parallel, although we might not agree with the opinion. But every line of this Bill—which from the point of view in which it has been conceived displays the most anxious desire to do as much justice as possible consistently with that view—every line bears witness to the fact, that it is not thought that the Protestant Episcopal Church in Ireland ought to be suppressed, or can or will cease to exist. We have, therefore, no parallel, even in the extensive appropriations of Church property which occurred in this country at the time of the Reformation; nor am I aware of any parallel cases in any other country, although in some other countries these appropriations have taken place under circumstances so revolutionary as to form no precedents at all. Has anything like this happened in Canada? In Canada, as was well pointed out by the right hon. and learned Member for the University of Dublin, in that remarkable speech, to which we all listened with so much satisfaction on Friday night—in Canada the whole case was essentially different. There were certain lands reserved by Act of Parliament which were originally supposed to belong to the Protestant Episcopal Church, and it was afterwards determined by law that, according to the true construction of the Act of Parliament, they belonged equally to all Protestant denominations. A large part of these lands had never become profitable; the income arising from other parts, which had never been assigned or appropriated as endowments to any particular rectories or parishes, had been distributed among the Episcopal clergy. These, when the reserves were resumed by the State, were dealt with very much in the way proposed by this Bill—that is, all persons who had got the benefit of the distribution previously made of the income had their life interests respected; they were commuted; and, as this portion of the reserves had not been appropriated for the use of any local communities, so as to give them any vested interests in their continuance, there was nothing else to take care of. But there was a third class of lands which had been actually appropriated to the endowment of particular rectories—I think between thirty and forty, or more, as was stated on Friday evening. These lands were appropriated to particular rectories of the Church of England, exactly in the manner in which tithes and glebe lands are now appropriated to the purposes of the Irish Church. What was done with them? Were they taken away? No. They were respected; they were left. It was felt there was no way of compensating those vested interests, except by leaving the Churchmen of those parishes in the possession of the property; and they are in possession of it to this day. But what happened in the United States of America? Surely, if there ever was a case in which this principle of universal disendowment might have been naturally expected to be applied, it was in the case of the separation of the United States from the mother country. In some of the colonies something like ascendancy had been given to the Church of England. In the great State of New York there were Royal grants—not very old, the latest not much more than 150 years from the time I am now speaking; very valuable land in the City of New York had been granted for the endowment of Trinity episcopal church. We know, on that great Revolution, the great Republic did not think it its Christian duty to establish any particular Church or religious denomination—it was not, I apprehend, less religious on that account it is only evidence that there was in that great country a divided state of religion which made it inconsistent with civil harmony to introduce such an institution. But did they on that account; think it necessary to confiscate and take away the endowments granted to particular Protestant Episcopal churches, though granted by the Kings and the State of England in the previous times? They did not. It happened, not very recently, that a question arose before one of the courts of the United States as to the endowment to which I have referred. According to one account which I have received the value of that endowment is now about £400,000 a year—not so very far from the total value of the endowments of the Irish Church. [A voice from the Treasury Bench: "$400,000."] No, the sum was reduced from dollars to pounds in the statement I have received. In another statement, however, the value was given at £100,000, but, by the falling in of leases, it was thought likely soon to reach or exceed the larger sum I have named. The question was raised, whether Trinity Church was entitled by the laws of the United States to the benefit of that endowment; or was it to be dealt with as national property, disposable by the nation? It was held that no law to take it away had been passed by the United States, and till such a law had been passed it could not be so treated. Till you make such a law it is not national property, or to be treated as national property. But what is the key-note of this whole debate? Why, that this is national property now; not that we are now to make it so, but that we are to take it as being already so, to treat it as already in our pockets as a reason for putting it there. I would ask the House further, is there nothing in the nature of public endowments in any of our own colonies and foreign possessions where there is no Established Church? There are such endowments, as all who are acquainted with the colonies know. I am not sure how it is in India, but certainly in several of our colonies there are such endowments, although no Established Church. The questions of disendowment and of disestablishment, therefore, are not inseparable, and they ought not to be so treated. Whatever other reason can be given for so treating them, it is not a case of necessity. Granting that, I will now ask whether, although it is not necessary, it is right? Upon that question I think that the burden of proof —and much more proof than I have yet heard addressed to that part of the question — lies upon those who insert it. However, I will do my best to accept that burden myself, and I will inquire whether there is any reason for believing that is just or unjust, that it is likely to be salutary or otherwise; and here, if the House will permit me, I will distinguish a little between the different portions of the revenues of the Irish Church. I must not be understood as saying that the question of disestablishment might not, to some extent, involve some change in the appropriation of the revenues of the Church. I have never said that, because it is manifest that there may be revenues so obviously connected with the position of dignitaries in an Established Church, as such, that I would not for a moment say, if it ceased to be an Established Church, the *raison d'être* of those particular possessions might not, either to some extent or altogether, cease. That is undeniably the case with the Episcopal revenues, and no one dealing with the question with that degree of honesty and candour with which I shall, at all events, try to deal with it—for I shall express my real opinions as they appear to my own mind—I say that no one so dealing with the question can fairly and truly say that the amount of the episcopal revenues, or the number of episcopal sees, now existing in Ireland, has nothing nothing to do with the position of the Church as an Establishment. No one can truly say that they have not so much to do with it, as to make it very difficult here to separate the question of establishment from that of endowment. These Bishops are all directly nominated by the Crown, and they sit by turns in the House of Lords. Take away the Crown nomination and patronage, and the Parliamentary position—let the Church be reduced to the position of a Disestablished Church, with the right to make and multiply its own offices and appointments freely, *pari passu* with the other voluntary Churches of the kingdom—and I cannot carry the argument myself so far as to maintain that the same amount of episcopal revenues can be claimed by the Church, or that the episcopal revenues stand on the same footing as the parochial revenues. And I will not enter into the question whether or not it would be just or obviously necessary to take away the whole of those episcopal revenues. I wish to make my argument as cogent as I can on those points where it seems to me to be impregnable; and I will, for the moment, assume that the burden of proof is so shifted on myself, as to this point, that I am unable to satisfy it as to the whole amount of those revenues. I will also suppose the same as to the capitular revenues, and also that those funds which are in the hands of the Ecclesiastical Commissioners are to be dealt with as in the same category. Those altogether amount to a very considerable sum, because the aggregate of the three is not less than £186,651 12*s*. 8*d*. a year. But this leaves untouched the case of the parochial endowments, which correspond with the rectories of Canada and the United States, of which I have spoken, and in which the people have the real vested interest. Their case stands thus—The total amount of the endowments of the parochial clergy in Ireland is £395,180 17*s*. 10*d*., of which £329,087 17*s*. 10*d*. is derived from the tithe rent-charge; the sum of £62,124 12*s*. 1*d*. from glebes; and the rest from miscellaneous sources of smaller amount. How stand the facts as regards the population of the parishes that are so endowed? I find from the Commissioners' Report, that, if you take the figures at which they propose to suppress benefices—namely, forty Church members—I do not say whether that is a right principle or not—there are 199 such benefices, with a total annual value of £37,097 12*s*. 6*d*. In their last appendix they give the total number of parishes having less than 200 Church members, which number is 431. The House will recollect that the total number of parishes in Ireland is something above 1,500. Therefore less than one-third of the whole number are parishes with less than 200 Church members, which includes the 199 parishes having less than forty Church members. The income of these 431 parishes is £54,620. Suppose, then, you were even to take all that away, in addition to the total episcopal, capitular, and Commissioners' fund, you would still leave the sum of £340,000 as the present endowment of parishes, in every one of which there are more than 200 members of the Church.

Now, let us consider the sources of these endowments. It would be a great mistake to imagine that the present Irish Church remains in possession of the whole of the ancient national endowment of the ancient Church of Ireland. The whole course of centuries, down to the present time, has been occupied in its spoliation. Take one item—the tithe rent-charge. That is computed to represent not more than one-sixth of the original value of the tithe. It has been melted away by various processes. A large portion has been appropriated from time to time by lay hands. In the latter part of the last century, when, by several actions at law, the right of the Church to agistment tithe had been established—that is, tithe on pastoral land, and Ireland is a great pastoral country—an Act of Parliament was passed which abolished that tithe altogether. Then we come to the Composition Act of 1823. The compositions for tithes were very much below their value, and by that Act those compositions were made permanent. Then came the Cess Act of 1834, which threw all the repairs which would be met in England by the church rate upon the funds of the Church. Then we come to the Commutation Act of 1838, which, as the House knows, gave one-fourth of the commutation, which was paid on the amount of composition, to the landlord as the price of collection. In that way, I find it stated in the second Appendix to the Report of the Irish Church Commissioners, that the whole value of the remaining tithe is not more than one-sixth of the original value, or, as Mr. Shirley says in his *Historical Sketch*, which the Commissioners have published, only a fraction of the original tenth remains to the clergy—scarcely a larger portion than would have fallen to their lot if the whole tithe had been a national provision, and had been divided between the Church of Rome in Ireland, the members of the other Churches, and the Protestant Episcopal Church itself. Recent measures as to tithes, church rates, and ministers' money are stated to have had the effect of diminishing the revenues of the Church, even during the present century, by nearly £250,000, or about one-third of the whole amount. Let us not speak, therefore, as if the entire ancient ecclesiastical revenues of Ireland remain, and are still enjoyed by a small minority of the population. It will be seen, on the contrary, that they are in possession of property not much, if at all, more than equal to their due proportion of the population in general. I do not pretend to put this matter before the House with numerical exactness. I merely mean to say that the disproportion is not anything like what it would be if all or the greater part of the ancient provision made for the Church in Ireland, when the people were united in religion, still remained in the hands of this small minority. Now I want to consider what the effect of this Bill would be on these endowments. Practically, the Bill takes away everything, saving only the life interests, and private endowments since 1660. I will consider the life interests presently; but I want now to know whether there is really and truly a clear and satisfactory distinction between these private and non-private endowments. I know that my right hon. Friend the late Member for South Lancashire—I ought to have spoken of my right hon. Friend by that title, which I am much more happy to apply to him—that of Prime Minister of England—I know that my right hon. Friend is perfectly aware that, except as a matter of sentiment, there is no distinction, because he said so. In his speech at Liverpool, he said that the sentiment was irresistible. I confess I agree with him. I think the sentiment is irresistible, when you propose to take away private endowments. But I carry it somewhat further. I think it is equally irresistible with regard to all private endowments whatever. I have said there is no distinction in principle between the case of private and other endowments. And why? Because the private endowments were given to the Established Church. And, if it be true that the glebes given by Kings—and the tithes given by ancient piety, and afterwards consolidated by law—are to be regarded as given to the Church, only as an Establishment — given on condition of the continuance of its privileges by the State, as a Church having its institutions united by law to the political institutions of the State—it is irresistible logic that the donors of these private endowments must be held to have given them just as much to the same institution, and for the same reason. The real truth is, that if you try to find any solution of the question, you must look to general considerations of reason, policy, and justice; and I say that reason, policy, and justice oblige the man who takes away to show the reason why he does it. To my mind, that reason has not yet been shown. But now let us consider what this disdistinction between public and private endowments, since the Reformation, really is worth. The whole of the glebes in Ulster, and by far the greater part of those in other parts of Ireland, were given after the Reformation. And how were these estates given? Were they given by Acts of Parliament or by solemn acts of the State, to which you can refer, and on the face of which you can find that the gift was upon condition of the continuance of the existing state of relations between the institutions of the Church and the institutions of the State? They were given by Kings, out of lands which came by confiscation into the hands of those Sovereigns, exactly as those Sovereigns gave other portions of the same lands to private persons, whose descendants enjoy them to this day. I own it was a matter of some surprise to me to hear, I think from my right hon. Friend, but, at all events, from one speaker on the Treasury Bench, that these glebes, and parts of the tithes which are dealt with by the present Bill, were given by way of restitution, because they had previously been taken from the Church by some former process of disendowment. It certainly is a very formidable doctrine that you are to go back from the existing title to a more remote title, which had been destroyed, and, on the ground that the new title is to be referred to the old, to conclude, for some reason connected with the old, that the property itself is to be taken away. A most formidable doctrine this, I must say, and especially for the New Voluntary Church Body, which you are going to create under this Bill. According to that doctrine, there will certainly be no security for the New Church Body—no security for the churches or houses which may be left to them—no security for anything which may be saved through the commutation of their life interests. For these may all be said to be, in some sense, a residuum remaining out of the old endowments. I confess it seems to me that when a State gives freely and does not annex specified conditions—when Kings, more especially at periods of our history which enabled them to deal with property as if it were altogether their own, or when private individuals give property to persons capable of taking it by legal titles, titles as valid at the time of the gift or grant as any private titles could be—when that is done, the gift takes effect exactly in the same manner, to all intents and purposes, whether the donor be the King, the Parliament, or a private individual. You must look at the title, see when it was granted, and what conditions were annexed, and if the conditions were the same in one case as in the other, there is no more justice in taking away the property in the one case than in the other.

I have thus given my reason for not thinking that you can possibly stop at private endowments, or at Churches, if you recognize the principle of some moral claim on the part of this body, even after it should cease to be established. I may perhaps be permitted to say one thing more in this connection. If we are to frame for ourselves hypotheses as to the motives and reasons for these grants, and to say it was because the Church was established, and it was supposed it would continue to be established, that these gifts were made, and that now it is to be disestablished these grants are to be withdrawn and to revert to the country, I should like to know, that line of argument once adopted, where we are to stop? I pointed out in the early part of these observations that the Established Church did not mean the same thing at all periods of our history; that it was very different before the Toleration Acts from what it was afterwards. Before the Toleration Acts, the idea was that the State and the Church were absolutely one, and everybody was bound by law to be a member of the Church. Some one may improve upon the view I am at present combating, and may say that the reason why all the endowments granted to the Church, at all events from public sources, down to the Revolution of 1688, were so granted was because at that time all persons were supposed to be of one religion, and were in fact required to be so by law; but that the law on that subject being changed, *cessante ratione cessat lex.* In other words, such a line of argument puts it in the power of any one taking a retrospective view of history to annex conditions, not expressed, to all ecclesiastical property whatsoever, and, because of the changes which have occurred in our legal, social, and political systems, to say that those unexpressed conditions have been violated, and therefore that the State has the right to resume the property. That, I say, would be a new and very formidable doctrine. Then I come to the next point, the limit of 1660. The principle upon which that date has been adopted appears to me more difficult to understand than almost anything else in the Bill. It is said that because the Thirty-nine Articles of the Church of England were not adopted by the Irish Church until 1634—not 1660—and because the system of Church government and Church discipline in Ireland may have been practically consolidated, in its present exact form, after the Restoration rather than before, you are therefore to take matters as if an entirely new start had been made, and a new Church established, and as if all kinds of endowments given between the Reformation and that date of 1660 had been given to some Church other than the present. But those who say so cannot possibly be ignorant of this plain matter of fact that, by the legislation—which few of us entirely approve—of the 2nd of Elizabeth it was expressly stated that the whole of the bishoprics in Ireland were to be in the nomination of the Crown, as they were in England, and even more absolutely; that the Liturgy of the Church of England as such was to be in use in all churches in Ireland, and everybody was to be obliged to conform to it; and that this included the Ordination Service, and everything else characteristic of the constitution and discipline of the Church of England. And although it may be true that the Thirty-nine Articles were not adopted till 1634, will anybody say that there was not substantial community of doctrine and of worship in the two Churches in the interval—at all events as far as the law was concerned; or will anybody say that persons who gave private endowments during that interval gave them with a view to the Roman Catholics usurping the benefices, as they did in some portions of the country during a considerable part of that interval, or with a view to Episcopalian clergymen fraternizing in other places with Presbyterians—as my right hon. Friend said they did fraternize—possibly very much to the benefit of both? It is evident that the gifts must have been to the Church then established by law, and not to some other Church which, as the law stood, could not then exist. The suggestion is that there was a good deal of confusion, and a good deal of usurpation of benefices in different parts of Ireland, by persons not conforming to the Established Church, during the interval of which I have been speaking. I believe that there is much exaggeration in this statement; but, if it were ever so true, it could not justify the assumption that persons who gave endowments to the Church established by law before the year 1660 did not mean the same thing as persons who gave endowments after that date. Why, the very confusion, the very invasion by Roman Catholics here, and Presbyterians there, must have made the inducement stronger to give new endowments to the Church to replace what she had lost.

And now I come to a question of much more importance. Why do you respect only life interests? Are there no others? I say there are. And the Bill, in this respect, seems to me the *ne plus ultra* of that system,—I hardly know how to characterize it without using some word stronger than I should wish to do—of that practice which too much prevails in our legislation, of looking to the individual interests of persons who discharge public duties, more than the rights and interests of those for whose sake they discharge them. It is a distinguishing feature of the present working system of the Church of England that there is hardly anything for which a clergyman once appointed can be turned out of his living. But who are the persons who have the real interest and benefit in the ministrations of the clergyman? The people of that religion whose minister he is. They are the persons whose servant he is. And when you find that there is a community, necessarily permanent, which your legislation neither will destroy, nor is meant to destroy, who will continue after it has taken effect with the same spiritual needs as before, and obliged either to go with these needs unsupplied, or to find new pecuniary means for their supply, then, I say, the true vested interest is the interest of those persons, and not that of the minister. Now, let us look at what is proposed. It is proposed to give to these persons their churches—a costly boon. Let me not for a moment be misunderstood. I should be truly sorry if they were not to have their churches. But still it is a costly boon. We find from the Commissioners' Report, that at this moment, the total annual cost of their maintenance, including repairs, for the year 1867, was £62,043 17*s*. 11*d*. They have been maintained out of the Church funds exclusively—not a shilling, not a penny has been levied from the people, since the abolition of cess in 1834. You are now going to throw that £62,043 17*s*. 11*d*. upon the members of the Church, besides everything else, although they will no longer have the Church funds to assist them. Now, let us see how the fact stands, as to whether there are such persons—large permanent bodies, in parishes as populous as ordinary English parishes are—who have the local claim, who will continue to have it, and from whom you are taking away this property, not to give it to anybody else; for this disposal of the surplus—although I have not a word to say against it if there be a surplus—is manifestly an ingenious discovery under great difficulties, for the purpose of finding out what to do with it. Now, let us see whether there are in truth such people as I have referred to, existing to any great extent in Ireland. I find it stated in one document appended to the Commissioners' Report, that, in one-third of the dioceses in Ireland, all the parishes are sufficiently populous to require the exclusive services of a resident ministry, so that it would be inexpedient and unfit to unite any other parish to them; and that, as to the other two-thirds of the dioceses, one-half of the parishes are so. That is the general statement; but it applies still more forcibly to particular parts of the country. With the permission of the House, I will take for illustration two dioceses in the North of Ireland—first, the united diocese of Derry and Raphoe, and, secondly, the united diocese of Down, Connor, and Dromore. In the first of these dioceses there are 111 benefices, to only twenty of which is there is attached a less Church population than 200. One of them has more than 3,000, seventeen of them between 1,000 and 2,000, three between 900 and 1,000, seven between 800 and 900, nine between 700 and 800, seven between 600 and 700, fourteen between 500 and 600, twelve between 400 and 500, eleven between 300 and 400, and ten between 200 and 300. Now, anywhere else, should we say that these were not cases in which the population was adequate to a permanent endowment? I say nothing against anybody who might suggest that by possibility in some of those places the endowment may be excessive, and more than can be justified by the population. If such be the case, let that be the subject of investigation and adjustment. I would yield this, as I have yielded some other things for the sake of peace, where I was not bound by justice to maintain them. But surely these are populations which have some right to say—"We ought not to suffer. You are taking away from us our permanent endowments, although you provide for our servant the minister, and are giving us in return no compensation whatever, although we want an endowment as much as ever we have done, and have not done anything whatever to forfeit it." Let me now take the population connected with the benefices in the diocese of Down, Connor, and Dromore.

Of eleven parishes in Belfast the aggregate population is 24,534. Of the remaining 133 parishes only twenty-four have a population under 200; one has a population of above 5,000, one between 4,000 and 5,000, six between 3,000 and 4,000, nine between 2,000 and 3,000, seventeen between 1,000 and 2,000, seven between 900 and 1,000, three between 800 and 900, eight between 700 and 800, seven between 600 and 700, eleven between 500 and 600, seven between 400 and 500, fifteen between 300 and 400, and seventeen between 200 and 300. From these 109 parishes having such a substantial population, you propose to take away all provision for a religious ministry. But this does not apply only or principally to populous parishes in towns, where it is comparatively easy to supply the religious wants of the population. The Rev. Mr. Sadler, a clergyman of the Church of England, who has written a very able pamphlet upon this subject, and in whose views I may say I almost if not altogether agree, has given a table of the Protestant Episcopal population of forty-four parishes, merely as examples, and many more might be found. He has excluded from that table all places containing either the whole of any large towns or any parts of them. In every one of those forty-four parishes there is a population of at least 300, and in many of them much more, and they are scattered over no less than twenty-five square miles, and in some instances over thirty-five square miles, being eight times the area of average English parishes. In one of those parishes there is a population of above 4,000, in another of above 3,000, in two of 2,000, in thirteen of 1,000 and so on below that number. In those cases the people are in such circumstances, that it is very difficult indeed to suppose that, if you take away from them the existing provision for religious ministry, they will be able to supply one for themselves. But is it not quite plain, that, unless you can show that in taking away that provision there is some manifest good to be done—that it is to be given to somebody who has a better right to it—you are doing a wrong to these people? Because I say that to take away my property, not because it belongs to somebody else, but because you want to take it away, is doing me a wrong.

Passing from that point, I would ask, what would be the result of the change you propose to effect? And here I will take the liberty to refer to the appeal which was so eloquently made by the right hon. Gentleman the President of the Board of Trade on Friday last, in that splendid speech, which we all heard with so much interest. May I be excused if I respectfully take the liberty of saying that I listened to that speech, and all other recent speeches made in this House both this year and last by the right hon. Gentleman upon this subject, not merely with intellectual admiration, but with a very large degree of moral sympathy. He does not accept my conclusions; he thinks both them and my reasoning entirely wrong; but I do take the liberty of saying, that with the feeling which actuated and animated him in those speeches I entirely sympathize; and it is only because I think that unjust which seems to him just, because I think that although his end is good his means are not so, that I do not go along with him, as, if I were merely to indulge my feelings after hearing his powerful appeals, I might be disposed to do. The right hon. Gentleman endeavoured to show that, after all, the effect of the proposed change would not be the spiritual destitution of these communities of the Church. I wish to avoid the fallacy of generalizing, by speaking of the Church as a whole. I will, therefore, not speak of the Church as a corporation, because hon. Members have been very properly pulled up for speaking of the Church as such. When you speak of the Church as a whole, you lose sight of some of the main points of the question. It is of the endowed communities of the people in the parishes that I want to speak. The right hon. Gentleman says—"Why entertain such gloomy views? Why have you not more faith in the power of your religion? Don't you remember what happened in Scotland? Don't you remember that magnificent spectacle?"—and it was a magnificent spectacle, one of the finest moral spectacles which history has ever presented—"of that great body of men who went out for conscience' sake from the Establishment, without any compensation for vested interests, leaving house and home, and immediately betaking themselves to the founding of a new Church,"—with that remarkable and extraordinary result, which the right hon. Gentleman so powerfully depicted. I would, however, ask the House whether there is not a very great fallacy in pointing to that spectacle as an example to us at the present moment, as if that case possibly could be like the one we are now considering? In the first place, I beg to observe that the State has dealt very differently with the Established Church in Scotland from the way in which she has dealt with the Episcopal Church both in England and in Ireland. The Established Church in Scotland enjoys, in my humble opinion, a much better government, a much better organization—I do not allude to the difference between Presbytery and Episcopacy, of course—than the Church of England. She has her Kirk Sessions, her Presbyteries, her Synods, her General Assemblies, each step of self-government rising above the other, so that she has been well exercised in the whole art and power of self-government, self-legislation, and self-expansion, no State control coming in to stop her Synods from meeting, or from exercising all necessary powers of legislation and discipline. There the great men who afterwards became the leaders of the Free Church movement had as much liberty of speech as we have in this place. There they formed their parties, there they organized their system, there they collected together such a power and bond of moral public opinion as enabled them to go forth triumphantly, even when leaving all which in this world they possessed. Have you so dealt with the Church of Ireland? Have you not imposed upon her, as the very condition of the Establishment which you now seek to remove, such restraints as prevented that organization of the powers of self-government, that organization of ways and means, and that organization of feeling, opinion, and discipline, which we have seen existed in Scotland? I am not speaking of an abstract difference, I am speaking of a difference which had a direct practical bearing upon the very case itself; because how was the Free Church formed? Was it the birth of a moment? Did it spring up full armed like Minerva from the head of Jupiter? By no means. It was formed in the General Assemblies of the Established Church. There it was that, by legislation, by council, by deliberation, by carrying on a long battle against the powers of the State the principles of the Free Church were established and consolidated, and the bond of union formed between those who afterwards seceded. But has anything of the kind occurred, or could anything of the kind have occurred in Ireland? If it had, you might have said—"The Irish Church has disestablished itself, and must take the consequences."

The next observation I have to make is this—There is all the moral difference in the world between the man who goes out of his own accord and the man who is turned out. The man who goes out of his own accord goes out in a cause in which he is the aggressor at all events, and may think he will be the conqueror; but the man who tries to hold his own, and is not able to do so is in a very different situation, and a very long period indeed must elapse before he can arrive at the possession of an organization suitable to his altered condition. Mr. Bence Jones well remarks, that—

> "A man reduced from wealth to poverty is in a very different state from one who has never been otherwise than poor, and has numberless difficulties of which the other knows nothing."

Now, as to the voluntary system. Certainly I am not one of those who have ever stood up to abuse the voluntary principle. It has done great things, and may do great things again. Christianity conquered the world under the voluntary principle; and, no doubt, in the times in which we live, it looks a little as if the world was endeavouring to re-conquer Christianity, under the opposite arrangement. But though endowments may not be the *summum bonum* which some persons seem to believe them to be, we have, I think, a right to consider whether those who have lived under endowments can be able all at once to do equally well without them. It is said, that if the Church in Ireland should be disendowed the Protestants will be able to provide for themselves. In proof of that proposition, it is said, that the Roman Catholic Church in Ireland is able to provide for herself now by the voluntary principle. The Roman Catholic Church in Ireland does so, but certainly by means in which the clergy of the Protestant Church of that country are not instructed—by means to which the people of the Established Church are not accustomed. A Church in possession of large endowments is able to give a gratuitous ministry. Such a Church makes its people accustomed to a gratuitous ministry; but, of course, a Church which is organized on an opposite principle accustoms its people, as far as their means go, and sometimes above their means, to contribute to their own spiritual wants. Undoubtedly, in the course of time, the Church which is now endowed in Ireland might accustom itself to the voluntary system; but how long a time will be necessary for that purpose? How long a period will be required to teach those who have always relied upon a gratuitous ministry to do otherwise? It appears to me that, independently of all the changes which it may be found necessary to make in its system of local organization, you must take a long time before you can arrive at that. I think there is a fallacy in the argument used by those who say that the rich in Ireland belong to the Church with which we are dealing, and that the poor chiefly constitute the Roman Catholic Church in that country. It does not quite follow that because the rich belong to a Church they will contribute to it with a liberality proportionate to their means, especially if, as in this case, many of them are not residing on their properties; nor does it follow, that, if they do not do so, the poor will not be the sufferers. Who will be the sufferers if a ministry be not provided? Will it be the rich non-residents, or even chiefly the rich residents? No. It will be the poor, the permanent local poor—they will suffer most. You do not suppose they will change their religion upon account of the passing of this Bill. If they are not in circumstances to pay their clergy, are the clergy to depend on the rich? Bishop O'Brien says—

> "To the successful working of the voluntary system numbers are of much more importance than wealth, and the diffusion of the wealth of the religious community than its amount."

And he quotes Isaac Taylor, who observes—

> "No motive that has hitherto been brought to bear upon human nature has availed to make the rich liberal after the proportion of the poor."

But I would not have it supposed that in this case I am willing to do injustice to the rich. I ask the House to consider their position. They will for forty-five years, at all events, continue to pay tithes, though they will not have provided for them that, to provide which, and which only, tithes exist. It is true that their titles do not comprehend that interest in the land; but it is also true that the tithe rent-charge never was State property in any sense whatever. Tithe rent-charge, since the law established it—and the law only established it because conscience had done so before—has only existed as a charge on land for the express purpose of providing religious ministrations. It may be said that some of it has been appropriated by lay impropriators. That was done in bad times, and I do not think that such an arrangement could now be repeated; but I say this, that tithe rent-charge is a local charge, that it never was imposed and never could have been imposed for general or Imperial purposes, and it would be most unjust to use it for such purposes. I have high authority for that. I have a speech which contains these words—

> "Those funds, gentlemen, are local funds. The tithe of a parish was never given except for the purpose of maintaining religion in the parish; and to take the tithe out of a parish of Galway or Clare for the purpose of meeting the wants of Protestant congregations in Dublin or Belfast, whatever the intention may be is—I care not who hears it—in my opinion very like indeed, and dangerously like—whatever the intention may be, that is quite another matter—an act of public plunder."

Whose words are those? They are the words—spoken during the last election at Newton—of my right hon. Friend at the head of the Government. I do not for a moment suppose there is a syllable in them from which my right hon. Friend would now shrink. I have no doubt my right hon. Friend would repeat those words now; but if those funds are local funds, if the tithe of a parish was never given except for the purpose of maintaining religion in the parish, and if to take the tithe out of a parish in the West or the South of Ireland for the purpose of maintaining religion in the North or the East is very like an act of public plunder, I own that I think the transfer must have the same complexion, if you withdraw such a local fund from a parish in one part of the country for the purpose of maintaining in another part of the country—no one knows where—for the purpose of maintaining lunatic asylums. I do not understand that the lunatic asylum need be in any particular parish. I do not even understand that there is to be even any approximation to that principle in the scheme of my right hon. Friend. The real truth is that the funds described by my right hon. Friend as "local funds," are funds which it is now proposed to treat as ordinary State property, disposable in any manner that Parliament may think useful on the whole, and which it is proposed to transfer from spiritual to secular, from local to general purposes. What I think on this point cannot be better stated than in the words of a very able man, the Knight of Kerry. He says—

> "It may be held to be quite right that a great public good should be effected, even where it inflicts wrong on an individual; but it is fair, at least, to admit that it is wrong. I think the case may be made more clear by excluding the ecclesiastical element for a moment, and treating it on ordinary principles of business. Suppose, for example, that all the estates in this country were liable to a charge of, say 1*s*. per pound for the maintenance of some necessary local institution—the county hospital for example—which we will suppose, moreover, had for centuries been supported from this fund and this fund alone; would not all the landowners of this county have just cause of complaint, if an Act of Parliament siezed the above fund for the public Exchequer, and left them either to support the hospital out of their own pockets or to allow it to collapse? I confess it does seem to me that a serious injustice would be done in this case, and I cannot possibly see where the parallel fails."

Hitherto I have dealt with the sufferings and loss that will be inflicted upon this portion of our fellow-countrymen; and I will now enquire as to the reason. First of all, have they done anything to forfeit the advantages which they enjoy? Now, I confess it seems to me that the considerations applicable to that question instead of leading to an affirmative conclusion, greatly add to the weight of everything which I have already advanced. How has the State dealt with this Church in past times? It has loaded her with all the evils, with all the drawbacks, and with all the difficulties, arising from the grossest misgovernment, from the grossest and most profligate spoilations, and from those detestable Penal Laws which have done so much to alienate from this country the hearts of the people of Ireland. I certainly think that it is much more owing to the acts of the State than to anything that she has done, that the Church has been laid open to the charges which are made against her. And therefore I do not think that the State is warranted in regarding as a ground of forfeiture that degree of failure in the Church in Ireland, which is mainly attributable to bad civil government and bad legislation, more especially as it is admitted on all hands that in our own time she has done her duty well. I may here refer to the expenditure which is proved to have been made upon the faith of these endowments since 1833. We read not only of all the churches and parsonage houses in Ireland being built since the Reformation, but the total expenditure in building and improvement of churches and parsonage houses amounts to £1,000,000 since 1833, and that is only the expenditure, to the recorded proofs of which the Ecclesiastical Commissioners are able to refer. Now, let us consider, for a moment, whether you do justice, when you treat that as the measure of the claim upon you, which such an expenditure creates. You cannot separate private and public expenditure in such a matter as this. You must take into account all that has been done on the faith of the possession of these endowments. Those who have suplied this money may fairly claim to have considered, not only the money which they have actually laid out, but all the other circumstances which attended that outlay. If I contribute £100, and the Ecclesiastical Commissioners give £50 in aid, is it to be said that I am not entitled, as a purchaser, to the aggregate endowment? Some talk as if the wrongs done in former times ought now to be visited, by way of retribution, upon the Irish Church of this day. But if the people who now derive benefit from those endowments are wholly innocent of those wrongs; if their clergy have been, far beyond the memory of the present living generation, exemplary, useful, and efficient, and have given no ground for complaint, it is impossible to make out a cause of forfeiture against those communities, which the moral sense of those communities at all events can be expected to recognize and allow.

I will not weary the House by referring in detail to other considerations, connected with the immigration into Ulster, with the plantation of Ulster when the improvement of lands, formerly waste and wild, was undertaken by a Protestant population, invited to come there upon the faith of their possessing an endowed Church. They were promised, and they received, a Church endowment of so many acres, in a fixed proportion to the number of acres improved and brought into cultivation by them. This part of the case is powerfully and clearly set forth in a recent declaration, numerously signed by Protestant gentlemen in Ireland; and, as it has probably been read by most Members of this House, I do not feel myself justified in repeating it here.

I will now endeavour to grapple with the argument so often adduced, and which is really the main assumption on which all the other arguments in favour of this measure are founded, that this is public State national property, which is at the present time misappropriated for the benefit of a few, when it belongs to all. That appears to me to be a doctrine which is, not on technical grounds of law but upon substantial grounds of law and fact, absolutely untrue, in the sense in which it is brought forward. I do not mean for a single moment to deny that the nation has a large interest in and control over every species of public property. But of public property there are various kinds. There is that in the public Exchequer, contributed by the taxes of the country, and there is that which is vested in the nation at large, or in the Sovereign, for purposes co-extensive with the general government of the country. These are national property in the largest and fullest sense of the word. But every species of property given for every kind of use beneficial to any portion of the community—the property of municipal corporations throughout the kingdom, the property of the City companies, the property of the Universities and of the Colleges in the Universities, the property of all hospitals and charities—is in a certain sense public property, subject to public regulation and control; and in the due management of this species of property the public has always an interest. But that is a sense, in which everyone would perceive that the State would not be warranted it treating it as disposable at its own mere will and pleasure. And, on the other hand, the public interest in it is not of that nature, which would warrant anyone in saying that the State can be called to account for its use and application, as if the State were annually giving the same amount of money for the purpose out of the public Exchequer. There is a confusion of thought, when we fail to perceive that there are many gradations of what, to some extent, may be regarded as public property; and that money belonging to a portion of the community ought not to be taken away by the whole of the community, unless good cause of forfeiture, or proof of misuse can be clearly made out. Now, it seems to me, that to apply this principle to the local parochial endowments, in which the local communities have an interest, to deprive them of that which they would either have to supply out of their own pockets, or, still worse, go without—is much more unjust, than if you were to apply it to any kind of corporation which would cease to exist upon your taking away its means. Take the case of the monasteries, for example. They absolutely ceased to exist when they were by law dissolved; you dissolved communities which then, in the nature of things, necessarily came to an end as soon as the individual members, who were then living, died. So it would be in the case of the Colleges at Oxford and Cambridge. There is no permanent body of persons which would continue after their dissolution, and be a loser. The public, or the Church, might be a loser, by the destruction of valuable institutions; but there would be no individual persons who would be in want of what they, or their predecessors, had before. But here you are dealing with a permanent class of persons in the enjoyment of local funds, who will remain and continue in existence after you have done this, who will want those funds afterwards as much as they did before, and who will either have to supply the deficiency themselves, or go without that which is much more valuable. I cannot but think, therefore, that this plea of national property is altogether unsound. Now I frequently hear the word "prescription" employed by hon. Gentlemen opposite. Prescription signifies a title established by enjoyment for a length of time, where there is no proof of any original right. But in this case we have, with enjoyment for a great length of time, a clear legal title to that enjoyment. How did the House think it right to deal some years ago with the case of the charitable trusts in this kingdom which were enjoyed by Unitarians, but were originally founded for the benefit of Trinitarian congregations? The congregations had gradually lapsed into a different faith, and for much more than twenty years Unitarian congregations had been in the practical enjoyment of funds to which the courts of law determined they had no legal right. My right hon. Friend, and Lord Macaulay, and other great authorities said it was right even to legislate in that case for the purpose of applying the principle of prescription. I am wholly at a loss to understand why the claims of congregations of our own faith in Ireland, whose legal title is so much better, and who can urge the enjoyment of centuries in their support, should not be at least as much respected; or why the rights of those persons who have from time to time laid out their money and made all their arrangements on the faith of the continuance of these endowments should not be equally regarded. And certainly it is not an answer to say that the legislation of 200 or 300 years ago, which settled the existing title to a portion of these endowments, was a violent and oppressive legislation. Because wrong was done then, you cannot take from those who have had a valid legal title for centuries that which they have done nothing to forfeit, simply on the ground that at a remote period your predecessors may have done something equally unjustifiable.

Another great argument which I will take the liberty of referring to is the argument of equality. That seems to me, in the sense in which it is put, to be a very dangerous argument. It is new to me that it is the business of the State to abolish all inequalities of property. Of course nobody contends for this as affecting individuals; and nobody, in truth, contends for such a principle as that it is the business of the State to abolish inequality of property among religious bodies, whether they have or have not been originally created by means of public endowments. As far as I have heard in these debates, and in recent discussions of these subjects by advocates of the present measure, everybody repudiates the application of such a principle to Scotland or England. This principle of equality, when it is brought forward to justify you in taking away local funds from those who have done nothing to forfeit them—not to give them to anybody else, not to restore or redistribute them, not to establish another Church because it is the Church of the majority, as in Scotland, but simply for the purpose of taking them away—appears to me to be a principle which cannot be worked out without going much beyond the point to which anybody at present is proposing or desires to go. You will be producing another new form and state of inequality, in some respects more remarkable, between one part of the kingdom and the other parts of it. It would be one thing if you were about to found another Established Church—it would be one thing, if you were only resuming superfluous endowments; but it is a very different thing, for the sake of bringing about equality between different classes in Ireland, to take away from one religious body, whose title is one of centuries, everything by which its possessions exceed those of another which does not advance any claim to have such possessions for itself. Although we do not carry the principle further, there may be some who will. I look with great suspicion upon a principle which, if it is logically pursued, may lead to conclusions which we all repudiate, and which we desire everybody to lay aside, because there is so great a difference, as all agree there is, between the case of the Established Churches of England and Scotland and that of Ireland. Well, then, let us legislate in a manner which that difference suggests; but do not let us lay down an abstract principle of levelling equality as a reason for doing what on other grounds we do not justify.

I have thought it my duty to say what I felt upon this subject. I do most heartily desire and pray that all my apprehensions may be disappointed; I do heartily desire that all those good effects may follow which my right hon. Friend desires, and I am sure expects, from this measure. I have said nothing upon the subject of danger to private property, because it appears to me that there is in the nature of things a broad and clear line between private property and all property of this character. At the same time I am bound to acknowledge that the circumstances of the present times are peculiar, especially in Ireland; and that in Ireland language has been and is held as to private property, which in a manner connects it with some of the same considerations, which points to its origin from confiscations in past times, and which parades the fact that it is for the most part held in Protestant hands—language which, I think, does in some measure justify the alarm of those who fear danger; and, however well we may mean, if, while proceeding in one direction we make a false step, if we go too far, if we go beyond the limits of justice in dealing with this description of ecclesiastical property, we may be helping, perhaps not to kindle, yet to fan the flame, which threatens also property of other descriptions. I trust that my right hon. Friend may deal successfully with what is called the land question. From what was said the other day by the right hon. President of the Board of Trade, we know it is not intended to deal with it in a manner which can in the smallest degree do violence to or infringe the principles of the security of property. Whether or not all the desires and hopes which have been excited in Ireland on that subject will or can be satisfied by any measure fulfilling that condition, remains to be seen. I most heartily hope and trust that they may; but of one thing I feel confident, and it is that we should be safer and upon surer ground if we were not to permit ourselves to be led to hope we can be doing good by violating the just rights and reasonable feelings of our Protestant fellow-subjects. Are they not people who have deserved well of the Crown? Whatever in their position has been false or unfortunate has been much more owing to our legislation than to themselves. If that position has been made false with a view to fortifying English interests in Ireland, I cannot but think it would be a very unjust and ungenerous thing if we were to treat them as if they had deserved ill rather than well of us for their share in fortifying those interests. They have been loyal, intelligent, and industrious subjects of the Crown, and if they are not numerically the most important, they are a very important class of Her Majesty's Irish subjects. Surely, in doing that which is needful to allay discontent, and to sow the seeds of a better feeling among other parts of the community, we should be very cautious how we wound their feelings, disregard their interests, and alienate them, perhaps, without really conciliating other classes, who are now discontented. I repeat, I heartily wish and pray that the expectations of my right hon. Friend of good from this measure may be fulfilled: I do not say they may not. Although I have offered the best arguments I could command, I am by no means insensible to the force — in many cases the great force — of the arguments urged on the other side. I have told the House how far I can, and how far I cannot go. It only remains for me to say that if this House shall pass, as I presume it will pass, in substance, this measure, I shall, for one, acquiesce in the verdict of the House and of the country; and I will do my best in Committee to suggest improvements in those details which, as it seems to me, are capable of improvement, of course without attempting anything which may be inconsistent with the decision of the House. I trust and hope that if this measure should pass into law, the members of the future disestablished Church of Ireland will not take the advice which seemed to be offered to them from the Benches opposite a few nights ago — will not think they are asked to co-operate in their own destruction by having put into their hands the means of organization for future activity and usefulness, and, as I trust, of future revival and prosperity. I hope they will gird themselves up like men, and will use the means offered them—and, putting details aside, I know no better in the main than those suggested—of completing the re-construction of their Church upon the voluntary principle; and although it cannot be without a sense of great and grievous wrong and injustice, yet still I hope they will submit, like men and patriotic citizens, to a wrong done to them by those who sincerely believe it for the general welfare, and will contribute as far as they can to that end, by setting—notwithstanding all they may have suffered—as good and bright an example of loyalty to the Crown as they have set before, and at the same time bury in oblivion all feeling of irritation, all feeling of animosity towards any other classes of the community, and endeavour to bring about, even out of this measure, so injurious to them as I cannot but think it is, as much as possible of future good.

THE SOLICITOR GENERAL:* I hope the House will acquit me of being guilty of any affectation of false modesty if I say that I follow my hon. and learned Friend to-night with great reluctance. It is always a hard matter to re-engage the attention of an audience after a speech so admirable, yet making such severe demands upon close and sustained attention, as that to which we have just listened from the lips of my hon. and learned Friend. But, in addition to this obvious disadvantage, when I remember where he is sitting, where he ought to be sitting, and where, but for his difference with the Government, he would be sitting—that in some sort it is through him that I am standing here instead of in my proper place below the Gangway; that he has raised the character of our great profession — may I say, without offence, that he has raised the character of public men—by the example he has given us of magnanimous superiority to all sordid motive and selfish aim, the House will believe I know that nothing but a sense of duty would have led me to place myself in antagonism to my hon. and learned Friend, and attempt to act the part of critic instead of the more congenial part of follower and admirer.

It is, of course, for him to decide whether the difference between us is one which is really worth the sacrifice he makes for it. The less the difference the greater, no doubt, and the nobler, the sacrifice which it entails. But, if I rightly comprehend it, the difference is one which no intellect less subtle than his could have discerned, no language less keen and refined than his could have intelligibly discriminated. Disestablishment he fully understands, and he makes no objection to it. This is some comfort; for I have seen and heard of clergymen, from Archbishops downwards, who say they find a difficulty in understanding what it means. I think they could understand it if they were to try; and, at all events, the right hon. Gentleman the Member for Buckinghamshire and my hon. and learned Friend find no such difficulty. To disendowment in itself my hon. and learned Friend has no objection either. In the Roman Catholic parts of Ireland, where Protestants are few in number and scattered in habitation, where, probably, if the State ceases to support the Church, they will find it hard to support it themselves, there—where one would think, if anywhere, there was an excuse for State support—my hon. and learned Friend is willing to disendow and extinguish it. But where the Protestant population is large and wealthy—where, if they really care for their religion, they can support it and ought to support it without the smallest difficulty — there we violate some principle in leaving it to such support; and at this point and on this ground my hon. and learned Friend breaks from us. Says he—"This is in truth confiscation, because endowment apart from establishment is only the holding of property; all religious bodies hold property to a greater or less degree; this religious body in certain parts of Ireland does not hold too much, and therefore it is against justice to touch its property in those parts of Ireland."

My hon. and learned Friend has too often shown that he can leave the Court of Chancery behind him when he chooses and discuss the affairs of men like a great and broad-minded Statesman to mind my saying that for once and to-night he has brought the Court of Chancery into the House of Commons, and has argued this question to us as if we were a tribunal to administer a settled law instead of an Assembly to change it if a call for change be shown. Why, the whole case is in truth given up when it is conceded that the Establishment as an institution is indefensible, and that on the highest grounds and for the most religious ends it must be abandoned as an Establishment. It is the great symbol of Protestant ascendancy; it is not just that Protestant ascendancy should be continued; and with the thing signified the symbol must perish. But how does the Establishment hold its endowments? Why, because it is the Establishment; not from any necessary or inherent connection between the property which it holds and the Thirty-nine Articles which it subscribes, but because the State determined to have a national Church; and in the time of Queen Elizabeth, as the right hon. Member for Buckinghamshire said, it ill-treated the Irish clergy of that day by imposing fresh terms on them as a condition of their holding their property—terms inconsistent with all their settled religious convictions; because it disendowed and disestablished, with no protection for vested interests, the then Church of Ireland, and established and endowed the present Church of Ireland through the four provinces of the island. And does not my hon. and learned Friend see that you cannot localize a national iniquity, nor circumscribe within provincial limits, still less within parochial, the operation of a national disease? The Church, though not a corporation, is a whole; it is established as a whole; it is endowed as a whole; it insults the Irish feeling as a whole. You cannot break it up into parishes and congregations, and say this parish is a grievance and that not; this congregation is too rich, this rich enough, this not adequately wealthy. Parishes and congregations are not thought of, are not established, do not hold their property as parishes and congregations, but as parts of one great united integral whole. Defend the whole if you will and if you can—that is intelligible; but from this the sense, the wisdom, the charity, of my hon. and learned Friend alike utterly recoil; and I say it is not intelligible, it is not practical, it is not possible to defend it here and there to give it up. You must maintain it or abandon it on principle and as a whole. And as a whole I understand my hon. and learned Friend is not prepared—is any one in the House prepared?—to uphold and to defend it. I pass therefore from the ingenious, striking, clever, but utterly unpractical speech of my hon. and learned Friend and proceed to consider how far this measure is right in principle, and what is the real weight of the prominent objections to it.

In this portion of the discussion it is impossible not to feel the truth of the observation of the hon. Member for Bradford, that there is a certain unreality in the whole debate. The subject has been debated out here and elsewhere, the verdict of the country has been asked and has been given, and the right hon. Gentleman opposite and those who sit behind him, know as well as we know that it has been decided. I will, however, endeavour to consider it, first, on principle, and I say that it is an institution which, apart from and prior to argument, is generally felt as it now exists to be indefensible. You hardly ever meet an intelligent man even among those who, now that it does exist, would not abandon it, who does not wish it never had existed at all. For no man can help seeing that even if it was as right as it seems to be wrong, yet as the vast majority of the Irish people do not think it right; as they think it very wrong, very unjust, and very insulting, there ought to be some enormous counteracting practical advantage to justify its maintenance in the face of this strong and undoubted feeling. Now, is there any such practical advantage? It is said that the clergy of the Establishment are what Dean Swift called them 150 years ago, excellent resident country gentlemen in black coats and white neckcloths. I dare say they are — as a rule they are good, and high principled men —and they are resident—at least the inferior clergy are so—and no doubt do good where they reside; but this seems an utterly inadequate reason for keeping up a great religious Establishment, and if you want a resident gentry it would be far simpler and more honest to call them so and pay them to reside, than to call them clergymen and defend them as squires.

In the very able speech of the right hon. and learned Gentleman the Member for Dublin University, you would have expected, if any where, a defence of the existing state of things; but I listened in vain. An exceedingly ingenious and interesting attack on voluntary religion in principle and practice was made to take its place. But this was hardly to the point. Scotland and America, New Zealand and South Africa, show that he is entirely incorrect in point of fact. But suppose he was correct, how does that meet the argument that this is a bad Establishment, and show that you ought to keep up an Establishment that is bad? It would be of just as much and just as little value in defence of a Mahometan Establishment in Scotland, or of a Roman Catholic Establishment in England and Wales. Is this, then, a bad Establishment? It is established by force of law. It has great privileges, it has considerable wealth, its Bishops are Peers of Parliament, its priests have a dignified and legal status—yet it is the Church, and always has been from the first, the Church of about one in seven. Without argument and apart from historical experience, it is plain that in a free country such a Church could only be maintained by force. It has been so maintained. It is so maintained. It cannot be maintained otherwise. It is therefore as Mr. Roebuck called it, in 1849, a badge of slavery. It is a thing which, in our own case, we should not submit to for a year, which we should never rest till we had flung from off our necks, and which we ought not to expect—which I say we ought not even to wish — that a free people should be so degraded as to acquiesce in. In fact, as the First Napoleon observed in time of war, it operates as a diversion of from 30,000 to 40,000 men. The English Army, for the duties it has to perform, is singularly small. A handful of men suffice for the needs of most of our colonies, a few men are enough for England, a few for Scotland; but in Ireland, around the slumbering ashes of a people's discontent, which a breath might in a moment kindle into flame, you keep watch and ward with a formidable force, lest at any time they burst into conflagration. Force is indeed the usual solution of Irish difficulty—the usual reply to Irish complaint. We are too apt to answer Irish argument by English guns, and to turn a deaf ear to remonstrances which we can silence, and resistance which we can overcome in this simple and primitive fashion. Our notions of Irish right and wrong are pretty accurately described by the Pirate of antiquity—

> "Hæc quærant alii, toto meliora Platone
> Argumenta, manu qui gerit arma, tenet."

Next, it is said to be a sentimental grievance. I confess I hate the expression —sentimental grievance. A sentimental grievance is a grievance which is felt, and almost all political grievances are grievances of this sort. The corrupting despotism of the French Emperor, the Dutch supremacy in Belgium which led to the Revolution, the Stamp Act which cost us North America, the civil rule of the Pope and the Cardinals in Italy, are all sentimental grievances. And when we talk of this as sentiment, I ask again, how should we like it ourselves? and how long should we endure it? But it is, in truth, something more than a grievance to the feelings. It is an actual loss to the majority; for if the law, supported by English power did not appropriate these endowments, they could be made useful to the majority, and it is the majority who have the right to them. But it is said that we are affecting the rights of property by this measure. This, however, whether in law or in statesmanship, is utterly untenable. There is no property in any legal sense to be affected. The incumbents have a property, and that is carefully protected; I agree, as a matter of course, and claim no merit for it. But the Church, as a whole, has no property. It is not a corporation, and can hold none; and if it be intended to say that the laity have an interest in the benefits the clergy derive from it, then I say that interest is a very different thing from property; that the laity which has this interest is the miserable minority of the population, and cannot place its interest against the interest of the great majority of the people.

The right hon. Gentleman the Member for Buckinghamshire, indeed, spoke of sacrilegious spoliation, I know not whether by way of "heedless rhetoric" or careful eloquence; and he proceeded to his one excellent and telling joke, that about the Irish country gentlemen all living on voluntary contributions. But not satisfied with a good joke, he went on to turn it into earnest, and gravely argued that we might as well take away their property from the three great endowed hospitals of London because other unendowed hospitals were doing excellent work of the same sort without it. A more singularly unfortunate illustration it is impossible to conceive. Those great hospitals stand open night and day, and are full to overflowing of the poor, the sick, the maimed, whose various wants are attended and whose miseries are alleviated with the promptest care, and the most consummate skill. No religious bars interpose between the sufferers and their relief. Jews, Turks, infidels and heretics, are received as tenderly and cared for as completely as the most orthodox of Christian patients. But let this state of things be altered, let the great hospitals exclude from their ministrations all classes but some small one, let their beds stand empty, and their officers be idle, let their governors be non-resident and yet draw large salaries from their endowments, let them insult public feeling and outrage public justice—let the case, in short, become analogous instead of being in every respect utterly unlike, and I venture to say that Parliament would proceed without the smallest hesitation, and amidst the universal applause of the country to compel them to do their duty, and if they either could not do it or would not do it, to abolish them without remorse.

This whole argument of the bearing of this measure upon property is full of danger to the Church of England, to the property of this country. No one can really believe that there is any serious danger to the general stability of property. The difference between public and private property, or property well established, and that between property given to religious uses, and property of any other sort, has been always recognized from the very earliest times, beginning with the statutes of mortmain in the time of Henry III. and Edward I. But if you go about persuading people that there is no difference, you do the most revolutionary thing in the world; you make them think that there is no way to do justice but by violating the laws of property, and the result will be that justice will be done, and that you, not we, will have unsettled men's minds about the laws of property in general. I should like to recommend to my right hon. and learned Friend who represents the University of Oxford the opinion of Bishop Butler on this matter. I have no doubt he reverences Bishop Butler as much as I do — he cannot reverence him more—and any one who has a contempt for that very great man, has a contempt—to adapt a good saying of the Chancellor of the Exchequer—not bred by much familiarity. This is what Bishop Butler says on this very subject—

> "Property in general is, and must be, regulated by the laws of the community. This is allowed on all hands. If there be any sort of property exempted from these regulations, such exceptions appear either from the light of nature or from revelation. . . . . We may, therefore, with a good conscience retain in possession Church lands or tithes, such as the laws of the State we live under give as property, and there is less ground for scruple here in England than in other countries, because our Ecclesiastical Laws agree with our Civil Laws in this matter. . . . . The persons who gave these lands to the Church had themselves no right of perpetuity in them, consequently they could convey no such right to the Church."

The right hon. Gentleman opposite has deeper feelings on this subject than Bishop Butler, and he speaks of sacrilegious spoliation where the Bishop speaks of the ordinary operation of human law.

It has been suggested, rather than stated, that instead of disestablishing and disendowing one Church we should have set up three. Thirty years ago this might have been possible; but does any one now plainly and like a man advocate this scheme? Lord Russell, frank and fearless in his honoured age, as when in the prime of manhood he led the House of Commons, does advocate it, or something like it. So does the Dean of Westminster, in his brilliant and most interesting Paper. But no present opponent of this Bill, no Bishop, no Statesman has ventured to put it forward, and if he did, it is now too late. Thirty years ago it might have been possible, but it will not do now. There is a tide in the affairs of men, and the tide has ceased to run in this direction.

In return for disestablishment and disendowment, however, the Church obtains absolute and entire freedom. I hope the Church will make good use of it. I am not without some fears as to the effect upon moderate opinions and general toleration of this part of the scheme. I wish it had been possible to take some security for the maintenance of the standards of doctrine according to their present wise breadth and liberality. But I see that it is not possible, and I acquiesce with the less reluctance that wiser men than I am are firmly convinced that the dangers, if there are any, of the new state of things will lie in an exactly opposite direction. There is also the great advantage of starting with a considerable and very respectable endowment from the capitalization of the life incomes of the incumbents which this measure holds out to the Church. The right hon. Gentleman the Member for Buckinghamshire and the right hon. and learned Gentleman the Member for Trinity College have both said that they do not think this likely to be made use of by the Bishops and clergy of the Church, and that the benefit—if it be one—will turn out to be illusory. I hope not. It would be a great reflection upon such a body of men as they are if I could believe it to be true. No doubt the right hon. Gentleman the Member for Buckinghamshire has studied them much longer and knows them much better than I do. Many years ago, in one of those exceedingly clever books which we read and re-read still with constant pleasure, he said of them, in relation to the Irish missions—"As long as these funds lasted their missionaries made proselytes. It was the last desperate effort of a Church that had from the first betrayed its trust." These are not my expressions;

they are the expressions—I do not presume to say they are the opinions—of the Church's now chosen champion. But unless they are still true, unless the Church should still betray its trust, it ought to take, and it will take, this opportunity, as the Free Kirk of Scotland did, to acquire a firm footing in the country, and to build up an ecclesiastical fabric equal to its wants. With the example of Chalmers and his great associates before their eyes—while the sacrifices asked of them are nothing to compare to the sacrifices which the Scotchmen underwent—I cannot believe, and do not believe that they will be wanting to themselves and the occasion. When Innocent IV., according to the old story, showed the great Dominican the treasures of the Vatican, he told him that the Church could no longer say, "Silver and gold have I none." "True," said Aquinas, "neither can she say 'Arise and walk;'" and it is certain that if, for the first time in history, the Church in Ireland is to be a real religious influence and a great moral regenerator, it will be from the joint effect of being disestablished by Parliament and endowed by its own efforts and its own munificence.

Indeed, the Church owes some reparation to that unhappy country for the wrongs which it has inflicted. I do not wish to go through the dreary story of the Penal Laws and the ferocious cruelties wreaked upon the Roman Catholics for so many long years. In Hallam, in Burke, in Massey, in Sir Henry Parnell, in many other writers you may read, if you will, that dismal history. But two things I will mention. You may see in the 80th page of Mr. Greville's book, *The Past and Present Policy of England towards Ireland*, a statute so loathsome, promoted by the then Duke of Grafton, passed by Christian clergymen—for I suppose the Irish Bishops of those days were at least professing Christians—but to the honour of England instantly and indignantly rejected by the English Government—a statute, I say, so loathsome that I will not speak of it here, and but for the detailed account of it given by Mr. Greville, and Mr. Greville's own character, I should have disbelieved the possibility of its existence. I wish to remind you also of the famous Return extracted in 1842 from the Probate Office in Dublin, showing that ten contemporary prelates left in Irish personal property alone—not including land, remember, nor property which paid duty elsewhere—£1,575,000. These things have passed away; but there stands the Church which made them possible, and with whose present life these hateful memories are inextricably blended.

There are many other matters on which I should like to say something. The supremacy—the line of 1660—the question of Maynooth—the absence of any attempt in the Bill to define the clergy and laity of the new body. But I will not weary the House—long since anxious to be much more solidly and practically employed than in listening to me—and therefore I will stop. I will say only that such are some and some only of the considerations which lead me to support this Bill, and by which I am brought to think that any objections I have yet heard to it are poor and weak. To a clever man it is always easy to pick holes; to an ingenious man it is always easy to make objections. But the question for the House to-night is whether, in its broad outlines, this great measure does not afford some prospect of bettering the state of Irish feeling, and of laying the foundations of a wise and Christian policy on the part of England towards that noble but hitherto unfortunate country. To me it does, and therefore I support it.

Sir, I will not be guilty of the folly of trying to imitate the magnificent description of the future prospect of the two countries with which the President of the Board of Trade wound up his speech—

> "Multa Dirceum levat aura cygnum;"

and I will not try to follow him in his flight. But at least, in common with all who heard or read that description, I can heartily admire it, and earnestly hope for its fulfilment. Certainly, it is a great and glorious prospect; great beyond belief, glorious beyond imagination, ravishing us out of the present state of things and making us dwell in another—a sight, if one could but live to see to it, to make an old man young, and in the hope of seeing but the very beginning of which, though no longer a young man, I claim it as a privilege to indulge. I say the very beginning, and I say it on purpose; for of nothing am I more intimately convinced than of the comparative powerlessness of all human effort without that aid which we may hope for, which we may pray for, but which it is presumption to reckon on. Our duty, nevertheless, remains the same; if we see a wrong, to try to mend it; if we see a right thing, to try to do it; not minding what mere drops they are which we can cast into the evil sea, but casting them in; striving to break the bands and soften the distinctions which keep men and nations apart from one another, sure that if we are forgotten our good works will live, and that when these things are history it will more avail us to have advanced by one day or one hour the time when wars shall cease and discords die away, than to have won a hundred great victories, or made a thousand splendid speeches.

MR. CHARLEY said, the hon. and learned Solicitor General had observed that the hon. and learned Member for Richmond (Sir Roundell Palmer) had placed the question of disendowment in Chancery, but he (Mr. Charley) considered that the hon. Member for Richmond had put the Solicitor General in Chancery, and that the latter learned Gentleman had not been able to get himself out of it, notwithstanding the able speech he had just made. The question of disestablishment, however, touched him (Mr. Charley) much more closely than that of disendowment. On the latter question a compromise might be effected, but there could be and must be no compromise with regard to disestablishment, which involved the national recognition of Protestant Christianity and its incorporation with the law of the land. It was often urged on the other side of the House that Ireland required exceptional treatment because it was a separate nation. On this he would merely remark that the kingdom was a United Kingdom, and if hon. Gentlemen desired to deal with Ireland as a separate kingdom they ought to propose a repeal of the Union. If a Parliament sitting in Dublin declared that the Church should be disestablished and disendowed, he would bow to its decision; but he could not accept such a decision at the hands of the Imperial Parliament. The Church existed long before the Union, and the Irish Protestants only agreed to the Union because they were told it would give to their Church additional security. It had been alleged in the course of the debate that the Act of Union did not touch the question of the temporalities of the Church, but in that document occurred the words, "doctrine, discipline, and government of the Church." Similar words occurred in the Act of Union between England and Scotland, and did any hon. Gentleman really suppose that they did not protect the temporalities of the Church of Scotland? Again, he was opposed to disestablishment because he thought the whole laity had a right to the services of the clergy. This Bill appeared to show that the right hon. Gentleman had abandoned his original programme of civil justice to Ireland, or rather to the Roman Catholics of Ireland, for the Preamble set forth, not that it was "just," but that it was expedient that the Church of Ireland should be disestablished and disendowed. With regard to the revenue from tithes, only £35,000 a year—a sum little more than the amount of the Maynooth Grant—came out of the pockets of the Roman Catholic landlords, and the Protestants would be very happy to make them a present of it. Could justice be promoted by taking from the Church its property without giving it to the Roman Catholic Church which claimed it? Could loyalty be promoted by striking down the loyal Church? A great deal had been said about religious equality, but what was meant by the term? It might either mean the religious equality of the inhabitants, or the religious equality of the creeds they professed. In the former sense it already existed, as every British subject had the right of worshipping according to his conscience. If, however, it were taken to mean equality of creeds, he might be told that the Church of Ireland was established in that country while the Church of Rome was not. No doubt that was so, but it should be recollected that the Church of Rome was compensated by being entirely free from State control. One of his great objections to the Bill was that it proposed to destroy, as far as Ireland was concerned, the first estate of the realm—the spiritual peerage. Now, if that were abolished, how could the temporal peerage be retained consistently with social equality? He contended that the Church of Ireland performed all the conditions on which she obtained her property. The ancient glebe lands were bestowed on the Church by the independent chieftains before the advent of Henry II. Now, although it was absurd to speak of St. Patrick as a Protestant, seeing that the term was unknown in the Saint's time, yet undoubtedly the present Church conformed in doctrine to the old Irish Church, and consequently had a right to its revenues. The tithes within the English Pale were given to the Church by Henry II. on condition of its conformity with the Church of England, and he contended that they were the rightful property of that Church which had followed the Church of England's fortunes through all her vicissitudes. The same Church clearly had a right to the tithes without the English Pale, which a Roman Catholic Bishop (Bishop Doyle) declared to have been first collected in the reign of William III., and to the glebe lands granted in 1609. He denied that the Church in Ireland had been a failure. The Irish nobility were, if anything, more Protestant than the English nobility, and eight-ninths of the landowners were Protestants. Then the educated classes — especially barristers, doctors, and professional men—were Churchmen, in the proportion of two to one. The mercantile classes were Protestant. At the Bar there were only 216 Roman Catholics to 500 Protestants, and yet eight out of the twelve Common Law Judges were members of the Roman Church. So much for religious inequality. The right hon. Gentleman the President of the Board of Trade (Mr. Bright) had taunted the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) with making history as he went along. In the Bible there was an allusion to a beam and a mote, and his (Mr. Charley's) advice to the right hon. Gentleman the President of the Board of Trade was to study it before he passed judgment on others. The right hon. Gentleman (Mr. Bright) said the Puritans had been the bulwarks of our freedom; but who, he would ask, placed England under the foot of a military despot, and consigned the wretched Roman Catholics of Ireland to the tender mercies of Cromwell's troopers? But the Puritans were superior to their so-called descendants, the modern Nonconformists, in one respect. They would have no terms with Rome, and even refused to accept an indulgence at the hands of a Roman Catholic King, whereas the Nonconformists of the present day had formed an "adulterous alliance" with the Ultramontane Catholics of Ireland. The right hon. Gentleman the President of the Board of Trade had favoured the House with some other historical novelties. One of them was that the Irish Church had been imposed on Ireland by the English Parliament. The fact was that the Royal Supremacy had been accepted twice over by the Irish Parliament—first, in the reign of Henry VIII., and afterwards in the reign of Elizabeth. The right hon. and learned Gentleman the Attorney General for Ireland (Mr. Sullivan), had stated that only one Bishop had accepted the Reformation, but he would refer him to the *Calendar of State Papers,* vol. 8. temp., Henry VIII., A.D. 1539, as well as to the 2 *Elizabeth*, cc. 1 & 2, the Irish Royal Supremacy and Uniformity Act of 1560, passed by the Lords Spiritual and Temporal and Commons of Ireland in Parliament assembled. He found that in 1560 the names of twenty Prelates were recorded as being present in the Irish Parliament, all of whom agreed to the Act with the exception of William Walsh, Bishop of Meath, and Thomas Leverous, Bishop of Kildare. It was quite clear, then, that the corporate character of the Church was continued down to the present time, and there was evidence to show that the Irish people attended the parish churches till the latter part of the reign of Elizabeth. It was incorrect, therefore, to say that the Reformation had been thrust on the people. It had the sanction of the only legitimate authority recognized in Ireland at the time, the Lords Spiritual and Temporal and Commons in Parliament assembled. It was, however, contended that the verdict of the nation had gone against the supporters of the Irish Established Church at the recent elections, and the hon. Member for Bradford (Mr. Miall), who had pronounced a somewhat lugubrious benediction on the First Minister of the Crown, had stated that no new arguments could be advanced on the subject; but the old arguments had not yet been fairly placed before the constituencies. The Liberation Society have got the start of the opponents of the present Bill, and he would assure hon. Members on the other side of the House that the gigantic question which it involved was not to be disposed of by a half-year's discussion within and a half-year's discussion without the walls of Parliament. He was sure that there was no opinion out-of-doors sufficient to warrant the right hon. Gentleman if he should attempt to swamp the independence of the other House. He regretted, he might add, that the name of the highest personage in the realm should, on a previous evening, have been dragged into the debate by the hon. Member for Kilkenny (Sir John Gray) with no better warrant than the use in the Speech from the Throne of the very innocent words, "the re-adjustment of the ecclesiastical arrangements in Ireland." And he would ask with confidence whether the verdict of the country had been unanimously given in favour of the policy of the right hon. Gentleman at the head of the Government? According to law a verdict that was not unanimous was no verdict at all. Had not Westminster and Middlesex declared by a majority against it? Had not Liverpool, the second city in the kingdom, pronounced against it by a majority of two to one? Had not the English counties by a majority of three to one done the same thing? Had not Lancashire declared with unanimity against the right hon. Gentleman? and he had been forced to become a pensioner on the bounty of Greenwich? But, then, it was said that the voluntaries of England were in favour of the Bill. Now, his answer to that argument was that he did not think they had a right to sit upon the jury. The fact was that the Nonconformists in England were as much opposed to the Establishment in this country as they were to the Irish Establishment, while the members of the United Presbyterian Church of Scotland were equally opposed to the Established Church in that part of Her Majesty's dominions. There was no analogy whatever, he maintained, between the voluntary exodus of the Scotch clergy from their homes, in vindication of a principle for which they were ready to lay down their lives, and the expulsion from their glebes and churches of the Irish clergy, who were bound by every feeling of duty not to abandon their position. The right hon. Gentleman the President of the Board of Trade had taunted the Irish Church with want of faith. The right hon. Gentleman was very fond of quoting Scripture; in reply to that taunt he (Mr. Charley) would remind him that it was written—"Thou shalt not tempt the Lord thy God;" and if the Irish Church were sent out into the world impoverished as she would be by the operation of the Bill, they had no reason to expect that a special miracle would be wrought for her preservation. As for Penal Laws they existed in Ireland long before the Reformation, and he denied the justice of the statement which had been made over and over again in the course of the discussion that they had been imposed on the Irish people by the Protestant clergy. Penal Laws had been imposed by the Whigs on the Irish Roman Catholics because they had conspired to restore the Stuarts. The Protestants of Ireland had been the victims of repeated massacres at the hands of their Roman Catholic fellow-countrymen. In 1641, 150,000 Protestants were butchered in cold blood. In 1798 Protestants were dragged from their beds at the dead of night, and numbers of them, men, women, and children were shot, while others were allowed to perish of starvation. He adverted to these facts merely to show that there were two sides to the picture. The right hon. Gentleman now Chancellor of the Exchequer had, last year, referred to the Irish Church as the barren fig-tree of the parable, and the right hon. Gentleman at the head of the Government said that for that Church the time of probation had passed, and that for thirty-five years—that is, since 1832 she had had fair play, and something more. But what were thirty-five years? Protestantism in three centuries had made no impression upon the South of Europe, and in eighteen centuries Christianity itself had hardly succeeded in evangelizing a fourth part of the world. He denied, however, that the Church had had fair play during these thirty-five years. Ireland had been the victim of ceaseless agitation and conspiracies from the time of O'Connell downwards, and such agitation unfitted men's minds for the reception of Divine truths. It might be said that in 1848 the Irish Church had a golden opportunity, but even that was turned against her by her wily foes. Again, the work she had done could not be judged by the Census of 1861. The Church Commissioners did not ascertain the number of Churchmen in the several benefices; and until 1871 the relative numbers could not be ascertained. It must be remembered, too, that Protestants as well as Roman Catholics had been thinned by emigration, and in Upper Canada the Bishop of Ontario said they formed two-thirds of his congregation, and were his best Churchmen. That the Irish Church had not been utterly fruitless was shown by the fact that during these thirty-five years it had raised by voluntary effort, for church building and endowment, £500,000. He referred hon. Gentleman to a pamphlet recently published, entitled *Church Life and Work in Ireland.* In 1867, the various Church societies in Ireland raised no less a sum than £179,000. He denied, therefore, that the Irish Church had been fruitless; but even if it had the parable would teach us that it should have a still further period of probation before they resolved to cut it down, and that meanwhile they should foster and encourage it.

Mr. Serjeant DOWSE said, he wished, as an Irish Protestant Episcopalian, sent to Parliament expressly to support the present measure, to explain his views on the question. On Wednesday he presented six Petitions from four different counties in the North of Ireland, praying for the disestablishment and disendowment of the Irish Church, which the petitioners stated to be a fruitful source of discontent and disaffection. He agreed in that statement, which was justified by the history of Ireland. He admitted what was said by the hon. and learned Gentleman who spoke last—that the Irish people were discontented and disaffected before the Reformation. But after that event these feelings of discontent and disaffection were intensified by a difference of religion, and culminated on the establishment of the Irish Church, that crowning act of tyranny and oppression. The Irish people then and now regarded that Church as a great wrong and a standing memorial of conquest. Though established to encourage Anglican Protestantism, and to promote English interests, it failed to effect either purpose. The feelings of the majority of the Irish people were disregarded, their language was ignored, and their manners and customs treated with deliberate contempt. The Scotch and English settlers in Ireland had in many respects been treated no better than the native owners of the soil. Such of the Scotch as settled in Ulster did so under the promise of obtaining from the bounty of the Crown native freeholds; and their descendants of the present day found that instead of freeholds they had only a delusive tenant-right. Nor did the Irish people fare better under the Protector than before. Cromwell, no doubt, was a great man and a great Statesman, who, to use the expression of the right hon. member for Buckinghamshire, introduced into England "violent tranquillity;" but in Ireland he introduced violence without tranquillity. The Irish people suffered under the hands both of the Puritans and the Cavaliers, so that to their case might well be applied the expression—

> "Quicquid delirant reges, plectuntur Achivi."

After the Restoration the Irish people fared no better, for what toleration had existed disappeared. Before that time Presbyterian ministers were frequently settled in the parishes of the Establishment; but the Irish Church, as it at present existed, became then the paramount institution of the soil, greatly to the discontent not only of the native Celtic race, but of the Scotch Presbyterian settlers. The period of the Revolution was marked in Ireland by circumstances of confiscation and civil war, and the result had not been, as stated by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), to combine the established religion with the national faith. That had been the effect in Scotland, but it was an abuse of terms to say it had been the case in Ireland. King William had left in Ireland a discontented people, Scotch settlers whose rights had been ignored, and an aristocracy based upon conquest and leaning upon England for support. He had left in addition a broken treaty and a Church which the right hon. Gentleman the Member for Buckinghamshire had denominated—in the days before his voice was silenced by the promptings of ambition—an alien Church. From the Revolution to the Union that Church had been the enemy of the Irish people. Its condition in the period between the Revolution and the Union had been ably described by Swift. The Irish people had seen the Bishops sitting in the House of Lords, and combining with the

Commons and Lords Temporal to pass those laws which had been unanimously denounced by every right-thinking man in this country, whether Whig or Tory, as a disgrace to humanity and a stigma on civilization. The Penal Laws had been frequently adverted to in the course of the present debate, and it had been said that they were inflicted on the Catholic inhabitants of Ireland by the Presbyterians. He denied that statement, and he could not understand where the hon. Member for South-west Lancashire (Mr. Cross) got his history from when he said that the Irish Presbyterians combined with the Episcopalians to impose those laws. The Irish Presbyterians did nothing of the sort, for they had no power to act in the matter, seeing that they were as much pariahs as the Roman Catholics until the repeal of the Test and Corporation Acts. He was reminded of one incident in Irish history by the presence of the Member for Belfast (Mr. M'Clure), who sat on that side of the House. After the glorious defence of Derry, one of the most brilliant feats of arms in their records, when Episcopalians, Presbyterians, and Nonconformists stood manfully in the breach, what was the reward the dominant Church conferred on the Presbyterians? An ancestor of the hon. Member for Belfast, a Presbyterian Dissenter, was expelled from the corporation by his Episcopalian brethren because he was a Nonconformist. There was one sentiment expressed the other evening by the right hon. Gentleman the Member for Buckinghamshire, in which he entirely concurred, that they ought to approach the consideration of this question with a desire to do that which is right, and without any desire to exasperate and inflame animosity. He should therefore tell his countrymen that both sides of the House were unanimous in the desire to remedy the wrongs of Ireland, and that the only difference between them was as to the remedy to be applied. Now, with reference to the Act of Union, they had been told that the Irish Church was firmly established by that treaty, and that the 5th Article rendered it impossible that it could be either disestablished or disendowed. But, after all, the 5th Article of the treaty of Union, as it was called, was only the 5th section of an Act of Parliament, and then, who were the parties to that Treaty. The bulk of the Irish people were no parties to it. It was made behind the backs of the Irish Catholics and Nonconformists. The Protestant Anglicans, confined within the walls of their privileges, made the treaty, and their descendants insisted that the Irish nation should be bound by what had been done, although they were never consulted in regard to it. But the treaty had, since the Union, been subjected to the revision of Parliament, and those who held by the authority of the Earl of Derby were surely the last who should insist on its being kept sacred, for that noble Lord had actually abolished ten Bishops, and, in the matter of tithe commutation, had given a bonus of 25 per cent to the Irish landlords. Were they now, then, to stay their hand, frightened by the phantom of a treaty which could not prevent those who sat in that House thirty years ago from the work of Church reform, although they had not such enlightened views of public policy and public interests as they now had? It was not till after the repeal of the Test and Corporation Acts that the Irish people for the first time stood face to face with the so-called Irish Church. That Church had been condemned by public opinion. It had been condemned by every enlightened foreigner who had written on the subject. It had been condemned by the impartial Liberal mind of Europe. It had been condemned at the elections throughout the country. It had been condemned by that House, and they were now merely going through the dreary phantasm of a debate and discussing a foregone conclusion. The hon. Member for Mid-Surrey (Mr. Brodrick) said the Irish Church was not to be condemned because there was less typhus fever and small-pox in Ireland. If it were not a specific against those diseases, he (Mr. Dowse) could not see of what use it was to tell the House that this nuisance was not to be removed, because two or three other nuisances had gone before it. Had the Irish Church, then, been justly condemned? It was the Church of a small minority. ["No, no!"] He thought the arithmetical education of the hon. Member for Salford (Mr. Charley) had been greatly neglected, otherwise he could not have arrived at the conclusion that 693,000 persons were superior in number to 4,500,000 Roman Catholics.

There were in Ireland 600,000 Presbyterians and Nonconformists, including 382 Jews. The population, if properly tested, would show that the Irish Church was the Church of a small minority. He said this although he was one of the 700,000 scatterlings—as they were called by the right hon. Member for Buckinghamshire—who would have to pay for its support when disendowed. There were thirty-two dioceses of the Anglican Church in Ireland and only twelve Bishops. In eighteen of these Irish dioceses only 7 per cent of the population were Protestant Episcopalians. In the diocese of Kilfenora they were only 1 per cent. In the diocese of Dromore they were 25 per cent, which was the highest. The average over the whole of Ireland gave only 11 per cent of the population as Protestant Episcopalians. Was it not a gross abuse of language to call a Church which embraced only 11 per cent of the population a national institution? In several dioceses in Ireland the Presbyterians were not 1 per cent, but in Down they were 52 per cent, and in Dromore 32 per cent. In those portions of Ireland where the Scotch and English settled the Presbyterians were most thickly scattered; but the Episcopalians were scattered over the whole population, and the gentry were generally Episcopalians, for Episcopalianism was found to be the cheapest and the most respectable religion. In the diocese of Connor, adjacent to Dromore, the Roman Catholics were 26 per cent, in Dromore 38 per cent, and in Kilfenora 98 per cent. Their average number over the whole of Ireland was 77 per cent. If the right hon. Gentleman the Member for Buckinghamshire wanted a national Church to endow there was one for him. But the feeling of the country and the House was emphatically against the endowment of any denomination whatever. In the diocese of Dublin the Anglican Protestants were 19 per cent, the Presbyterians 8 per cent, and the rest were Roman Catholics. Having regard to these statistics, could they say that the Irish Church was a national institution? Was it fair or reasonable to have a Church in Ireland endowed not because it was true—for that argument had not been heard in this debate—but because it was there? The argument was—"It is there because it is national, and it is national because it is there." He addressed himself to this subject not as a Protestant Episcopalian, but as an Irishman who wished to rise above sectional differences and to regard this Bill as a subject of the Queen of Great Britain and Ireland. And treating this as an Imperial question he arraigned the Irish Church Establishment before the entire world as having failed to discharge her duty. And this being the verdict, the sentence of the Court must be that she be taken from that place to the place whence she came, and thence to the place of execution. If he were an Irish Catholic he should address this House in a very different tone. But although he was not a Catholic, yet he was the representative of a large and influential body of Catholics, who came by him to the Bar of that House to plead for justice to their country, and if this nuisance were not abated he would use the words of Lord Chatham upon the employment of Indians in the American War against his fellow-countrymen, and say he would "enter on that war and never lay down his arms—never, never!"—until right was done to his country. He was also the representative of some of the Presbyterians of Ulster, and he felt justified in saying that the Presbyterians were not satisfied with this institution, and that they had expressed an opinion against the existence of the Established Church in Ireland. As a Protestant Episcopalian, he was anxious that the stigma of the present state of things should be removed from his Church. He said, trust that Church to the innate vigour of its members. "Loose her, and let her go!" She could not be a greater failure in the future than she had been in the past, and he was anxious that one last chance should be given to Protestantism in Ireland. He wished hon. Members opposite took as much interest in everything else connected with Ireland as they did in the Protestant Church. He supposed they came to its defence because they saw danger to the Established Church in England in the present movement—

> "——————— proximus ardet
> "Ucalegon."

But he had no fear for the future of his Church. If she were left to voluntary effort, he believed she would go forth in vigour and energy, and spread herself through the land. The Irish Protestant population would liberally and bountifully support the needs of the ministers and the Church. His right hon. Friend the Member for the University of Dublin (Dr. Ball) seemed to be afraid of voluntaryism; but the Catholics of Ireland were a noble illustration of what that principle could do. It was said that the Protestants had not the same power of raising money as the Catholics; but let the Irish Church follow the example of the Church of Scotland, which she would have to follow perforce, whether she liked it or not. If 450 of the ministers of a poor country could leave their manses and stipends and go out on the hill-side, and if their congregations could raise £2,500,000 for a sustentation fund for them, why should the Irish gentry, the Irish tradesmen, and the Irish professional men fear? He believed that in ten years the Irish Church would acknowledge the present First Minister of the Crown as the greatest benefactor she had ever had. He was able to give an illustration of the benefit of the voluntary system in Ireland. As a resident in the City of Dublin for the last twenty-three years, and knowing the large sums that had been raised by that system, he could positively assert that but for the voluntary system Anglican Protestantism there would have died a natural death. He would pass no censure on the present clergy of the City, but would only say that before their day Protestantism had come to so low an ebb in Dublin, in consequence of the neglect of duty by the beneficed clergy, that if it had not been for voluntary efforts in the building of free churches, and in other ways, Protestant Anglicanism would have died of inanition. There were ten or eleven of these free churches, and they were not connected with the State by any endowments, yet the ministers were in receipt of large stipends from their congregations. The ministers of these churches had so distinguished themselves by their zeal that the late Earl of Carlisle made one one of them Bishop of Cork, and another Bishop of Kilmore, and the late head of the Government selected another to be Dean of a southern diocese. But whether the Irish Church suffered or not from the change, it must come. It was an act of justice, and in the words of the Sovereign on a Petition of Right—"Let right be done." He would put a case to hon. Gentleman opposite. If the Irish Catholics were 693,000, and the Protestant Episcopalians were 4,500,000, and if all the ecclesiastical revenues of the present Irish Church were held by the Irish Catholics, what would be the feelings of the Protestants? They would proclaim that the existence of the Irish Church was the most intolerable burden that a nation ever groaned under, the only difference being that the nation would hardly have time to groan before being relieved of it. He must say that he had heard no argument in the course of the debate against the Bill before the House. ["Oh, oh!"] Hon. Gentlemen opposite were such friends of the Irish Episcopal Church that the moment an Irish Episcopalian came forward to express his opinion, they conveyed pretty plainly that they did not want to hear him, inasmuch, as they knew more of the subject than he did. He was justified in saying that various as were the arguments which had yet been put forward, there had been no real argument against the Bill. The debate was opened by a speech which contained no argument against it; it passed a glowing eulogium upon established institutions and Established Churches, which would have been equally applicable to Ireland if Mahomedanism had been established there instead of Protestantism. It was too late to be telling the House the doctrines of Bolingbroke and Hume on the subject. What they wanted to hear were practical remarks on the Bill itself. He was sorry the Church had no one to say more on her behalf than had been said during the present debate. One great reason put forward why the Established Church should not be abolished was that if a Catholic were excommunicated or a Protestant Dissenter put out of the body to which he belonged there would be no body to receive him. A Church Established under the Crown existed for the purpose. What a compliment to the Irish Church! If such a thing did happen in the future, he hoped the Disestablished Church would be willing to receive him, and the more so that he would probably bring something with him to contribute to its support. A sentimental grievance—lightly as some speakers had treated it—was worthy, in his opinion, of as much consideration as any other grievance. When a nation stood forward in battle array to defend the national honour or to avenge an insult to its flag, or when a gentleman repelled an insult to his character—was this regarded as a sentimental grievance? The Irish were a sentimental people; and the existence of this sentimental grievance had kept them discontented and disaffected. The English nation were getting a very cheap bargain in the tranquillity of Ireland by making the Irish people a present of what did not belong to them. This was more than a sentimental, it was a religious and political grievance, which poisoned the whole social life of Ireland. His right hon. Friend the Member for the University of Dublin (Dr. Ball) said the measure would not lead to social equality. Nobody ever said the measure would lead to social equality. But in future a Bishop or dean would no longer be preferred over a Bishop or dean of the Catholic or minister of the Presbyterian Church, and in that way, at least, an important removal of social distinctions would be effected. What plan, he asked, had been put forward better than that of the First Minister of the Crown? Surely not the plan of the Church Commission. The best argument put forward on behalf of the Church was that of the hon. Member for Mid-Surrey (Mr. Brodrick) that it kept alive a lamp of truth in every parish, and that with the removal of the Church that lamp would be taken away. But the Church Commissioners were prepared to take away the lamp from every place which had not forty Protestants. Of old, ten faithful people were needed to save a city, but it required forty Irish Episcopalians to save a benefice. Another great piece of economy recommended by the Commission was that the same person should perform the duties of sexton and parish clerk. The time, however, had passed for all these compromises, and the House stood face to face with the abatement of this great grievance. The right hon. Gentleman the late Secretary of State for India (Sir Stafford Northcote) said he did not know what was meant by Protestant ascendancy, of which the Church was a badge. The hon. and gallant Member for Fermanagh County (Captain Archdall) would, no doubt, be able to instruct him in the meaning of that phrase, for he found by *Debrett* that he was "a firm supporter of Protestant ascendancy." If the right hon. Gentleman would only come over to Ireland on the next 12th of July, to the county of Fermanagh, which that hon. Member had represented for thirty-four years, or to the county Tyrone, he would see erected on the spires of the State churches that fatal Orange flag, the badge of degradation to the vast majority of the Irish people. ["Oh, oh!"] Protestant ascendancy did exist, he maintained, as long as one Church was patronized and preferred above another Church either of the whole or a portion of the people. And now he had done. But if he was done he had some satisfaction in knowing that the Established Church in Ireland was done too. The English people were entering on a new career,—the career of justice to Ireland; but by this great measure they were only opening the gates of the temple of justice; they had still to enter the penetralia of the temple and put their richest offerings upon its shrine. A late Statesman, Sir Robert Peel, had given the country Free Trade. The measure of the right hon. Gentleman would give the country religious freedom, and what it greatly needed — equality. By another measure, which he hoped would receive the sanction of one who was revered in Ireland —the President of the Board of Trade —security would be given to the land. These things accomplished, they would then have a happy, a prosperous, and a united people — happy, because no sense of injustice rankled in their breasts; prosperous, because they enjoyed the fruits of their own industry; and united, because the fell spirit of ascendancy would be banished for ever.

Mr. VANCE said, that as representing a northern Irish constituency, he must offer his thanks to the hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer) for his able and disinterested defence of the endowments of the Irish Church, to support which he had made so great a sacrifice. The Irish laity, whose interests were most directly attacked by the Bill, had never supposed from the tenour of the Speech from the Throne that a measure of so severe a character would be applied to the Irish Church. The Church itself was disestablished, its funds transferred to other purposes, and the status of its clergy lowered. The material for disendowment in this case would be obtained from the tithe rent-charge and from the glebe lands of Ulster. There were two kinds of tithe rent-charge—one of which was purely ecclesiastical, while the other was in the hands of lay impropriators. The right hon. Gentleman the First Minister of the Crown treated the latter portion of the fund with the greatest deference; he laid no such sacrilegious hand upon it as he was laying upon the ecclesiastical tithe rent-charge. He protected the drones while he destroyed the working bees. With regard to the glebe lands of Ulster, he should observe that no argument had been advanced in defence of the appropriation of that property. Those lands had been given by Protestant Kings after the Reformation to the clergy who had accompanied the Protestant settlers; and it was puerile to say, as the Chief Secretary for Ireland had contended, that they had merely been given to the national Church of Ireland. The national Church of the country was the same at that time that it was at present; and the same proportion existed at both periods between the number of Protestants and the number of Roman Catholics. The right hon. Gentleman at the head of the Government had not kept faith in the matter. In his speech on the 30th March last year, he had distinctly stated—

> "That if the full money-value of the entire possessions of the Irish Church, fairly sold in open market, were estimated, certainly not less than three-fifths, possibly two-thirds, would remain in the hands of members of the Anglican Communion."—[3 *Hansard*, cxci., 476.]

The utmost which the Bill now proposed to give in any way to the Church was £7,300,000 of a total of £16,000,000. A portion of the property of the Church was to be applied to the support of reformatories and training-schools for the deaf and dumb. There were institutions of that kind scattered all over Ireland, which were supported by voluntary contributions, and the effect of this Bill would be to dam up this stream of charity. Again, £20,000 out of the confiscated property was to go for ten years to the new Commission, while the old Commission, which had hitherto been paid out of the Consolidated Fund, must be superannuated. Surely, this was a most wasteful manner of dealing with the funds of the Irish Church. What he most of all objected to, however, in the scheme was the proposed application of a portion of the property of the Church to the permanent endowment of Maynooth—a proposal which, after the Recess would meet with an amount of opposition which the right hon. Gentleman little anticipated. The House had formerly declared against such a proposition, and he hoped they would remain firm to their old convictions. The hon. and learned Member who had last addressed the House had told them that he was an Episcopalian, but no one who had listened to him would have thought that such was the case, seeing that he praised every religious denomination, except the Episcopalian. The hon. and learned Member said that the Presbyterians were badly disposed towards the endowments of the Protestant Church, but he (Mr. Vance) entertained a contrary opinion on the subject. One who was the head of the Presbyterian body, and who was respected by men of every creed in Ireland—the late Dr. Cooke—always defended those endowments. The great majority of his (Mr. Vance's) Presbyterian constituents voted for him, and he believed the majority of the Presbyterians in Ireland voted for those who would support the Church. The hon. and learned Gentleman further stated that as the Irish Parliament had been composed of Episcopalians they were not competent to enter into such a compact as the Act of Union. But the Parliament of England was at the date of the Union composed of Episcopalians also. The hon. and learned Gentleman had described the Act of Union as being a mere Act of Parliament, whereas, in truth, it was a solemn compact between the two nations. The Parliament of one of the countries was defunct, and therefore it was impossible that the Parliament of the other could ever take that Act into re-consideration, as to do so would be a breach of faith and a violation of national rights. The right hon. Gentleman at the head of the Government, had stated in one of his speeches that the Act of 1833, the Church Temporalities Act, had interfered considerably with Church property. He denied that such was the case, because there had been precedents for the union of bishoprics from time immemorial, and where any dignities were suppressed by the Act the money so obtained was spent within the Church itself, no part of its property being alienated. The Irish clergy had done nothing to merit the treatment which they were now receiving. The hon. and learned Member for Exeter had said that the Irish clergy might be good country gentlemen, but they made bad parsons. But everybody who was acquainted with the conduct of the Irish clergy knew that they were the most faithful of ministers, and that they devoted themselves with the greatest assiduity to their duties. The existence of a large body of clergy in Ireland was of great national importance, as they formed the connecting link between the gentry and the yeomanry, and possessed the esteem and the confidence of both parties. They were men of high education and refinement, and knit the various classes together wherever they resided. Many landed proprietors were induced to reside in Ireland merely on account of the presence of the clergy, and for every clergyman who left many country gentlemen would also leave. It was vain to say that this Bill would put an end to Irish discontent; it would tend rather to foster and increase it. When once an unjust demand was conceded to clamour, others would be made Demands for other organic changes would be made, the most prominent of which would be for fixity of tenure and a repeal of the Union, and in resisting those demands the Government would have to depend on the co-operation of those whose feelings they had deeply hurt, whose religious observances they had interfered with, and whose dearest interests they had sacrificed by the destruction of their Church.

Mr. RICHARD said, that, as a representative of the Nonconformists in Wales, he wished to make some observations on this measure. The verdict of the Principality had been pronounced upon the Bill with great emphasis, for whereas in the last Parliament it had returned seventeen Liberal Members and fifteen Conservatives, it had at the late election sent twenty-three Gentlemen to support the policy of the Prime Minister, with only ten to adorn the opposite Benches. He was the representative of a constituency, eight out of every ten of whom were Nonconformists; and, as he might fairly describe the Welsh people as a nation of Nonconformists, it would not be thought strange if, in his observations, he regarded the question from a Nonconformist point of view. Not that he had any intention of discussing the abstract question of the justice or expediency of ecclesiastical Establishments. It seemed to him there was no necessity, in these days, for Dissenters to proclaim very loudly their peculiar principles on this subject; inasmuch as there were events and influences which, altogether independently of them, were working that problem to a speedy solution, in the sense in which they looked upon it. All enlightened politicians, of whatever colour in politics, were now accepting this as a just and sound principle—that no body of men, who were good subjects of the State, who were loyal to the Throne, who were obedient to the law, who fulfilled honestly and faithfully their duties as citizens, ought to be placed in a position of inferiority, in comparison with the rest of their fellow-subjects, as regarded their social, civil, and political rights, in consequence of their religious profession. Many of the most learned and pious of the clergy, representing every school of theological thought, were coming rapidly to this conclusion, that the so-called alliance between the Church and the State was injurious, rather than beneficial, to both parties in the alliance; that it was constantly embarrassing the action of the State, while it fettered the freedom, secularized the spirit, and benumbed the vital energies of the Church; and, at the same time, in many ways retarded, rather than promoted, the progress and triumph of practical Christianity in the world. If hon. Gentlemen opposite could not find in their logical arsenal any better weapons wherewith to assail the voluntary system, and to defend the principle of Church Establishments, than those that had been introduced in this debate, he had no fear whatever as to the issue of the controversy. He had heard four remarkable arguments put forward in this discussion, in vindication of Established Churches. One was, that they were necessary as safeguards for religious freedom. It certainly did require some degree of courage to advance that argument in the presence of fifty or sixty Nonconformists who had not forgotten, if the right hon. Gentleman had, that there was no Established Church in the world whose annals were not stained by records of gross cruelties practised upon men who deserved to be called "excellent of the earth," for no other purpose but to suppress religious liberty. Another argument was that ecclesiastical Establishments were necessary, as a refuge for men of such character and conduct as to render them intolerable to other sects — as a sort of ecclesiastical Alsatia, where outlaws from all other Churches might be received. He did not know how far members of the Episcopal Church might feel flattered by that line of argument, but he should be sorry to think it was a sound one. A third argument was that the Established Church was necessary, in order to enable the high-born of this earth to travel to Heaven in genteel company, and to permit dignitaries to lift their mitred heads in palaces. Another argument was that ecclesiastical Establishments were necessary to repress religious fervour. He quite agreed that if religious fervour was an evil to be repressed, a State ecclesiastical Establishment was the very best wet blanket that could be thrown upon it. When he said that he intended to speak from a Nonconformist point of view, he meant that perhaps he could be able to show that persons belonging to Churches supported by the voluntary principle ought to be able to administer some words of consolation to those friends of the Irish Church who dread the idea of disestablishment and disendowment. He admitted that, if he were placed in the position of a member of the Church, sought to be disestablished and disendowed, he might have a repugnance to the change; and he thought the objection to the change did not arise altogether from the loss of those endowments. He could not think, indeed, that the supporters of the Church Establishment were insensible to the advantage they derived from the artificial support of the law. But he believed it to be an error to assume that any great community of men like those constituting the supporters of the Irish Church, and those benefited by it were actuated by merely base and mercenary considerations. He was also willing to admit that the repugnance to this measure did not arise from a wish on the part of those who opposed the Bill to guard the power and prestige which they now possessed. At the same time, it was not in human nature to be insensible to those advantages. The suspicion that unworthy motives had operated in the case arose from the injudicious nature of the defence put forward for the Establishment in Ireland. For instance—it had been said that if Parliament touched the temporalities of the Irish Church, it would impair the loyalty of the Irish Protestants. They remembered the passage in Scripture—"Doth Job serve God for nought? Put forth now thy hand and touch that which he hath, and he will curse thee to thy face." That, however, was said not by a friend, but by an enemy. But it had been said of the Irish Protestants, by some injudicious friends — "Put forth your hand and touch their temporalities, and you will see that they will curse you." He repudiated the idea. He believed their loyalty would remain unchanged. But he wished to say a word in order to encourage those members of the Irish Establishment who desponded as to what might become of their Church in the event of this measure being carried, as it assuredly would be. About a century ago the people of the Principality of Wales were in a state of deplorable spiritual destitution. There had been an Established Church there for upwards of two centuries; but it had utterly neglected the people. The Bishops, and other dignitaries, and many of the clergy were absolutely ignorant of the language of Wales. Simony, nepotism, plurality, non-residence, and an ignorant and immoral clergy; every evil that could affect a Church was rampant in the Church in Wales. Then there arose a body of remarkable men, fired by compassion for their countrymen, and they set a movement on foot calculated to remove the evils that existed. The zeal of those men became offensive to the principal dignitaries of the Church, and an attempt was made to put down their fervour. They were expelled from the communion of the Church, but they were not awed from their purpose. They at once joined the Nonconformists, and commenced the work of evangelizing their countrymen. The hon. and learned Member for Richmond said that the clergy of the Scotch Church had gone out voluntarily, whereas the Irish clergy were to be expelled. But in Wales the clergy were expelled from the Established Church, and took with them no congregations. Well, what happened? In 1742, when that movement occurred, the number of Dissenting places of worship in Wales was 110; but in 1851, a little more than a century afterwards, they had increased to 2,826. The population that year was rather more than 1,100,000; the Established Church provided church accommodation for 301,897, or about 30 per cent; while the Nonconformists provided for 692,339, or 70 per cent. Now, Mr. Horace Mann estimated that if Church accommodation to the extent of 58 per cent of the population were provided that would be sufficient to meet the requirements of the case. In 1851 the accommodation provided by the Established Church fell short of that by 387,672, while the accommodation provided by the Nonconformists exceeded it by 2,770. Therefore the Nonconformists had really provided for the whole population; so that the worst consequence that could happen from any catastrophe occurring to the Church in Wales would be that a few of the landlords and wealthy people who remained attached to the Church of England would have to provide the means of religious consolation for themselves. He wished to correct a mistake made by the right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy) in a debate on church rates who, in commenting on an illustration of the working of the voluntary system in Wales given to the House by the right hon. Gentleman the President of the Board of Trade, said that the large number of Dissenting chapels in Wales arose from the fact that they were built by speculative builders, who mortgaged them on the security of the pew-rents, and realized 7 per cent. That statement was not correct; but even if it were he did not see how it could affect the case. No doubt the right hon. Gentleman spoke in perfect good faith according to such information as had been supplied to him. The whole thing was a fiction, for chapels were never erected in Wales by building speculators, but were always built by the people, for the people, and out of the money of the people, and were vested in trusts for the congregations which erected them, or for the particular religious bodies to which those congregations belonged. He would now ask the attention of the House to another remarkable fact. What had been the case in Wales since the Census of 1851? Some friends of his had taken the trouble to collect the ecclesiastical statistics of Wales as regarded the Nonconformists for the last eighteen years, and he found that from 1851 to the present year they had built 630 new chapels, and rebuilt and enlarged 736 more, and furnished additional accommodation for 296,000 persons, at a cost of £802,000. Might he not, therefore, with every possible respect, venture to address some words of encouragement to the friends of the Irish Church. If the Welsh — a poor persecuted, struggling people—did so much? ["Oh!"] Yes, persecuted; because from an early part of their history they had been persecuted, and their persecution had not yet altogether ceased —because it seemed to be one of the functions of an Established Church to persecute those who did the work it ought, but had neglected, to do. If a poor, persecuted, struggling people like the Welsh provided so amply for their own religious wants were they to suppose that the Irish Protestants, who as they were told were the most wealthy and the most respectable part of the population, could not manage to get on without the assistance of the State, especially when they were supported, as they certainly would be, by the members of the Established Church in this country? He felt certain that there was not a voluntary Church in the world—and nearly all those now in existence had at one time or another been connected with the State—that would go back to the connection if the offer were made to them. Having once tasted the sweets of freedom, they had no inclination again to enter the house of bondage. He felt certain that twenty-five years hence, if the Irish Church would refuse to take counsel from hon. Gentlemen opposite of going into sulks with the Government — if it accepted its destiny—if it girt itself for the work before it—if it set itself down earnestly to do the work of evangelization—its members would look back with astonishment at the infatuation with which they had hugged their chains, and those who now called the right hon. Gentleman at the head of the Ministry a spoiler and a confiscator, would, in all probability, be engaged in erecting a monument to him in the most honoured place they could find, and inscribing on the pedestal of his statue, "To the man who liberated the Irish Church."

LORD CLAUD HAMILTON said, he wished, after the able and amusing speech of the hon. and learned Member for Derry (Mr. Serjeant Dowse), to state why those he represented could not consider the question as one for laughter or merriment. They, on the contrary, regarded it as a grave constitutional question—as an invasion of the rights and privileges which their ancestors had enjoyed for centuries, and which they were justly entitled to hand down to their descendants — and as a policy which, if carried out, would in all probability be fatal to the union of the United Kingdom. As an indication of coming events, he might instance the circumstance that even the hon. and learned Gentleman the Solicitor General in his speech that evening had assumed that peace and order were only maintained in Ireland by the presence of a large alien force, and when comparing Irishmen with Englishmen and Scotchmen had referred to the latter as "aliens." He could not understand why those who, after all, were the most peaceful, the most industrious, and the most loyal portion of the population of Ireland, who contributed the most largely to the wealth and the industry of the country, should suddenly find themselves under the ban of public opinion, and be held up as fit subjects for spoliation. The hon. Member for Derry assumed, but did not prove, that the Church was the cause of Ireland's discontent, and that its removal as an Establishment would produce happiness and prosperity, but he prudently abstained from offering any argument to sustain his unfounded assumption. Almost every writer had acknowledged the loyal and industrious character of the population of the North of Ireland. What had they done to justify the wholesale attack that had been made upon them? To ascertain this, examination must be made how the question has obtained its present pre-eminent position. The policy now advocated by the right hon. Gentleman at the head of the Ministry was suddenly undertaken, and did not apparently suggest itself to his mind until the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) had taunted him with being a leader who would not lead, and with being at the head of followers who would not follow. A cry was instantly demanded with a view to rallying the Liberal party, and the cry of the Irish Church was suggested as one which had done good service in times past, which had enabled the party to obtain Office in 1835, and to retain it for six years without injury, after all, to the Church. He could not, therefore, look upon this sudden thought as anything but a political and party manœuvre. It was a mistake to suppose we could repudiate the obligation imposed upon us by the Act of Union. We were not justified in stigmatizing it as a mere Act of Parliament; it was no such thing; it was a solemn arrangement made between two independent Parliaments representing two distinct kingdoms, and the union of the Churches was one of its essential conditions. Without that the Parliament of Ireland would not have passed it; and, if it were said that the Irish Parliament did not represent Ireland, and that therefore it was incompetent to unite the Churches, it was also incompetent to pass the Act of Union; but if the two Parliaments were competent to effect the Union, we were bound by the terms which they agreed to. If they were in existence, they could undo their own act; but by solemn compact they refused to future Parliaments the power to rescind the Act of Union, and they explicitly and solemnly declared no such power should exist. Was it possible to have a more solemn guarantee for the strict maintenance of those terms upon which alone this House had any power in the matter? This was the opinion of the Duke of Wellington, who entreated Parliament not to deviate in the slightest degree from the terms of the compact so long as it intended to maintain the union between this country and Ireland. He said—

> "It is the foundation on which the Union rests; it is a compact which you entered into with the Parliament of Ireland, and which you cannot violate without being guilty of a breach of faith."

He added there could be no deviation from that solemn compact as long as there was a spark of honour left in the country. Lord Plunket, also, who, in his younger days, was the eloquent advocate of Roman Catholic claims in the Irish House of Parliament, and later consistently maintained them in the United Parliament and in the House of Lords, stated in the clearest language, that the existence of the Protestant Establishment was the great bond of union between the two countries, and that if ever we rashly laid hands on the property of the Church, that moment the connection between the two countries would terminate. Therefore, in this respect we were placed under no ordinary obligation; and were we to think lightly of the engagements of the Sovereign entered into on the solemn occasion of her Coronation? Are we to consider the Oath taken by Her Majesty before the assembled magnates of the realm and the representatives of the people, in a building dedicated to the God of Truth, as a theatrical pageant, without any moral obligation, and perfectly useless as a security to the interests it professed to protect? He would now say a few words as to the Bill itself. The measure before the House was really that of the right hon. Gentleman the President of the Board of Trade, for the Prime Minister had only adopted a scheme which his right hon. Colleague drew up seventeen years ago, so that, although the Prime Minister was the figurehead of the Ministerial vessel, and indicated the direction it was taking, the right hon. Gentleman the President of the Board of Trade was the rudder, and really directed the course of the ship. That right hon. Gentleman visited Ireland in the autumn of 1852, and afterwards published his views as to changes that were desirable in the ecclesiastical arrangements of Ireland. He proposed that there should be no Church in Ireland connected with the State, and that there should be a Commission which should hold in trust, for certain purposes, the tithes and other property enjoyed by the Church, that the landed proprietors should be allowed to purchase the tithes at an easy rate, that the churches should be given up to those who would maintain them by voluntary contributions, and that the realized property should be distributed—£1,000,000 to the Roman Catholics, the capitalized value of the *Regium Donum* to the Presbyterians, and the remaining £6,000,000 or £7,000,000 to the various bodies for educational and moral purposes. To judge of the ultimate object of the measure it was only necessary to remember that the President of the Board of Trade had uniformly been at war with all endowments. The authorship of the Bill was the more striking when the measure was compared with the speeches of the Prime Minister in Lancashire. The Preamble was in conformity with those speeches, but the clauses were opposed to them. The Bill gave large sums to the Presbyterians and the Roman Catholics, but the right hon. Gentleman in Lancashire repudiated any such intention on two or three occasions. He had said distinctly that the residue of the funds taken from the Irish Church, after satisfying every just claim, ought not to be applied to the teaching of religion in any other form whatever. Could it be said the Roman Catholics had a just claim on the Establishment? When questioned as to his meaning by a resident at Birmingham, the Prime Minister had replied by letter, that—

> "Not only my own declaration on this occasion, but the Resolution unanimously passed by the House of Commons, binds me in honour to propose that the *Regium Donum* and the Maynooth Grant should be wound up, and cease with the Church Establishment."

They knew, then that the Bill was not drawn up in conformity with the former principles of the right hon. Gentleman at the head of the Government, but rather with the plan sketched out by the right hon. Member for Birmingham, before he joined the Government. What did the hon. Member for Bradford (Mr. Miall), the consistent Member of the Liberation Society, say in regard to this measure? That hon. Gentleman said that the Irish Church question would not be finally disposed of before the public mind would take hold of the Scotch Church and the Church of England with the object of their destruction as Establishments. He (Lord Claud Hamilton) asked the House to pause before pressing forward this measure, the leading advocates of which had long declared that they looked at it as only a means to an end—namely, the destruction of all religious Establishments in the United Kingdom. The hon. and learned Member for Londonderry (Mr. Serjeant Dowse) had repeated a statement which they had frequently heard from some of the enemies of the Establishment, that it was a failure. He (Lord Claud Hamilton) maintained that it was not a failure. On the contrary, he was prepared to prove it was a success. The Church in Ireland never professed to coerce men, or to do aught but uphold the pure Christian Faith and the right of private judgment—to secure a free Bible and liberty of conscience. Had it not nobly fulfilled these duties under circumstances of great difficulty? The great impediment to the beneficial influence of the Church has always been the unworthy conduct of English ministers who have sought to make it subserve their political objects. As formerly, so now—the interests of religion have been sacrificed to party objects and political intrigue. But has it failed? In England, Wales, and Scotland Dissent has drawn half the whole population from the fold of the Established Church, whereas in Ireland the Church has steadily increased per proportion of population; and had the massacre of 40,000 or 50,000 Protestants in 1641 not taken place, the natural increase of the number would have largely strengthened the Church. But what did they see in America? Tens of thousands of Roman Catholics having emigrated to America became Protestants. In the *Tablet*, the organ of the Roman Catholics in this country, a Catholic priest stated, some time ago, that at least 1,900,000 persons who had been Roman Catholic in Ireland became members of the Protestant Church in America. And this statement was subsequently confirmed by the Catholic Bishop of Toronto. He claimed these 1,900,000 as fruits of the teaching of the Irish Church. These emigrants obtained the instruction that caused their conversion from the ministers of the Established Church; but dreading the persecution that awaited them in Ireland, they only proclaimed their change of religion when safe in America. There are thousands now in Ireland who would gladly avow their conversion, but are deterred by fear, and not without just cause. This measure, if carried, would sap the very foundation of the rights of property and the Constitution. He called upon the right hon. Gentleman the President of the Board of Trade to explain that portion of his speech which he delivered last year in Scotland relative to the land question, in which he suggested that Protestant absentees should be deprived of their land, and he also called upon the Members of the Government to state whether they concurred in those views. He hoped that the passing of this measure would not cause to be enacted a repetition of the persecution and spoliation that followed the revocation of the Edict of Nantes, which is the only historical event that bears similarity to the present infamous attack on the rights of a loyal, industrious, and religious people.

The CHANCELLOR of the EXCHEQUER: The long controversy which has been carried on with regard to the authorship of the letters of Junius is the best proof the public can give of their admiration for that remarkable performance, and I am willing to accept in the same spirit the historical investigation of the noble Lord (Lord Claud Hamilton) who has just sat down with respect to the original idea of the Bill now before us. I think he could not have given us a greater proof of the high estimation which he entertains of our performance. I must leave it to him, however, to arrange the position of the rudder and the figurehead of the ship of State, only entreating him, as I have some interest in the safety of that good ship, that he will not place them side by side. Now, Sir, I will re-call the attention of the House to a thing that I believe has been too much neglected in the course of this debate. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli), in the speech with which the debate commenced, very gracefully and very properly, as I thought, exhorted us all on this subject to self-control and mutual forbearance. I must say, however, that the right hon. Gentleman spoilt a little the force of his admonition, because, before he had proceeded a third part in his speech, I took down his words, and I find that he applied rather harsh language to the very innocent Gentlemen who sit on this side of the House, for he accused us of "confiscation," "plunder," "robbery," and "sacrilegious spoliation." Whether that was meant as a specimen of "self-control and mutual forbearance," I really do not know, but I must beg to object to the employment of such language from such a quarter. ["Oh, oh!"] Just allow me to state the reason why. In the first place, because it involves a trifling inconsistency on the part of the right hon. Gentleman, but I will not insist on that. In the next place, because, though it might have been quite right to say those things of us before the late election, that language is now not so much levelled at Gentlemen on these Benches as against the majority of the people of England, and, whatever respect we may be entitled to be treated with, I know nothing they have done to forfeit their right to respectful treatment. Then, again, I have another objection, and it is that it is, in fact, begging the question. There is no doubt that this Bill means to disendow the Irish Church, but whether that disendowment be a right and legitimate measure, or whether it be spoliation or sacrilegious robbery, is the very question we come here to argue; and to decide that question in the manner of the right hon. Gentleman, and to apply those epithets as he has done, can serve no purpose except to inflame and envenom a discussion which ought to be calm and statesmanlike. ["Hear, hear!" *and* "Oh, oh!"] If hon. Gentlemen come here merely to harangue and get cheers from their own party, they cannot do better than use such language; but, if they come here to convince, let me remind hon. Gentlemen that no conviction can be attained unless we start from a common point; and that to assume the greatest turpitude in those that are opposed to you is not the way to prove your case and carry conviction to anyone's mind. It seems to me that the right hon. Gentleman missed a most tempting opportunity for the exercise of that genius which he possesses in so remarkable a degree. This, if anything in the world, is a romantic and historical subject. There is a great deal to be said about the Irish Church; a great deal that is very picturesque, and a great deal that is very interesting. It begins in the night, or, I should rather say, at the dawn of history—in a mythical age; and I should have expected to have heard from the right hon. Gentleman something about

> "The fair humanities of old religion,
> The power, the beauty, and the majesty"

of the Church. I should have thought he would have favoured us with some sort of sketch of the power and dignity of that Church down to the time of the Reformation—that he would have dwelt on the strong legal title by which it holds its land and possessions, on the frequent recognitions that it has received from Parliament, on the great names that have been connected with it, and that he would have extenuated any faults and shortcomings which he might be compelled to admit by alluding to the special difficulties to which any institution in Ireland is subject. That is what I should have thought would have been suggested to the mind of the right hon. Gentleman by his subject. I should have thought we should have heard the names of Ussher, Bramhall, Taylor, Berkeley, Bedell, Boulter, Swift, Whately, and the other great names which have illustrated the Irish Church. But the right hon. Gentleman, for what reason I know not, entirely declined to take a course of that sort. His speech was so vague that it would have been just as cogent and convincing whether applied to the best or the worst of human institutions. There was no single thing that the right hon. Gentleman said about the Irish Church except these two — first, that it was a Church connected with the State; and secondly, that it was a corporation — and the latter was not strictly accurate. This certainly is a specimen of the high *a priori*, metaphysical style of reasoning, but I think for an important constitutional question it was rather a hungry and jejune manner of treating it. The right hon. Gentleman's argument may be stated in a few words. The Irish Church, he said, is established—that is, connected with the State. The right hon. Gentleman is favourable to connection between Church and State, and therefore he is in favour of the Irish Church. Of course, he avoided most carefully saying anything more specific about the Irish Church, but that he did say, and upon that he argued. Now, how did he make out his theory of the connection between Church and State? Why, in this way. The right hon. Gentleman has evidently no very high opinion of Churches. But he told us that he was acquainted with many eminent philosophers of the present day, and that, differing in all other points, they all agreed in this, that all speculation tended to "the insoluble," and he told us that it was exactly at that point religion began. Having built the foundations of his Church upon so firm a basis, he proceeded to give his opinion as to the nature of Churches, and this is what he said. He told us that Churches were not calm, were not impartial; that they were sincere, fervid, enthusiastic, with contracted views; and, such being the case, he was of opinion that a union between Church and State was desirable. The State extended to the Church material protection and support, and gained in exchange the power of controlling the Church when it got enthusiastic, fervid, contracted, and all the other things; and then the Church sanctified the actions of the State, and influenced the consciences of men in favour of the powers that be. That was the sketch of the right hon. Gentleman, and it put me in mind of the prayer in the *Critic*—

> "Assist us to accomplish all our ends,
> And sanctify whatever means we use
> To gain them."

Well, I will not quarrel with the definition of the right hon. Gentleman; but what I want to point out is this—that in arguing about the Irish Church we cannot leave the Irish Church out of the question. It follows from his definition that the main advantage which the State gains from the union between Church and State is that it controls the vagaries of the Church and receives a sort of sanctity in return, if the Church be not too weak to make it worth your while to control it; but if, on the other hand, its influence be such that it enlists the conscience of the nation, you are endeavouring to govern against you instead of for you, then, on the very showing of the right hon. Gentleman, it becomes a mischief and ought to be put an end to as soon as possible. Let us apply this reasoning to the case of the Irish Church. Does anybody think that the Irish Church is so dangerous a body that it is necessary for the State to enter into union with it for the purpose of controlling it and keeping it in order? Has it not always been the obedient servant of the State? On this point I will not use my own language, but that which a prelate of our own Church used last year in the House of Lords, when he said that the Irish Church had been "the worst and meanest instrument of English misrule." ["Name!"] It was the Bishop of Oxford. Is it, then, that the Irish Church sanctifies and consecrates; is it that it throws a halo of sanctity over the acts of the State, and, where law and ordinances and police and military fail, induces a willing obedience to the dictates of the State in the minds of the Irish people? Is that the consideration which the State gets, on the right hon. Gentleman's principle, or is not the state of the case rather something of this kind — One-eighth of the Irish people may be somewhat conciliated by the union of Church and State, and another eighth may be in some degree conciliated by the *Regium Donum;* but as to the remaining six-eighths, the Irish Church is an obstacle and a hindrance to the State, and, so far from bringing them into harmony with the Government, sets the great bulk of the nation against it, and multiplies ten-fold the difficulty of governing the country? I am entitled, then, I think, to say that, on the very showing of the right hon. Gentleman himself, the Irish Church does not satisfy the conditions of that union of Church and State on which he rested his argument; that it is not worth controlling; that a union with it is not worth having as an instrument for conciliating and influencing the minds of the Irish people in favour of the Government, but that her influence, as far as it goes, acts rather as a counteracting and disturbing force. Then, the right hon. Gentleman has another argument, which is perfectly consistent with his view of the union of Church and State. He says—"You have two discontented Churches in Ireland now; and if you get rid of this Establishment you will have three discontented Churches." Would it not be more true to say that you have now one great discontented Church, which you make discontented by endowing this Church; and that if you get rid of this Church you may have the smaller Church discontented, but you will have conciliated the larger one? You may have lost the support of a small clique, but you will have conciliated the nation. I think I have shown—["No, no!"]—then I intended to show—that on the right hon. Gentleman's own principle, the union between the Irish Church and the Irish State ought to be dissolved as soon as possible. I now pass on to his other argument, which is equally remarkable. The right hon. Gentleman says the Church is a corporation. It is an aggregate of corporations, as we have often been told; but I will not insist on that. Then he says that the State is the trustee for a corporation, and, being a trustee, cannot apply the money which it holds in trust to its own purposes. Now, what is a trustee? He is a person possessed of property which he holds for the benefit or on behalf of another person. Well, the State is not possessed of this property at all, and therefore it cannot be a trustee. The right hon. Gentleman did not favour us with any demonstration of how he arrived at his conclusion; but I am bound to say that I can quote against it a great authority, a very eminent lawyer, who says that the Bishops and incumbents hold the property which they possess in trust for the whole Church—for the laity and the clergy alike. There is a slight difference between that great authority and the right hon. Gentleman, because the right hon. Gentleman says that the State is a trustee for the Church, whereas the authority I have quoted says that the Church herself is a trustee for other people. Now my authority is Lord Cairns, the leader of the Opposition in "another place." The argument of course, therefore breaks down in the first instance, because the State is not a trustee. There may be other reasons why the State should not appropriate these revenues, but this is not one. I should like, as the right hon. Gentleman accuses us of despoiling corporations and of sacrilegious spoliation, to point out exactly how that matter stands. We do not despoil present corporations, the existing Bishops and clergy, because we compensate them for their lives. [*A laugh.*] Do hon. Gentlemen think that we do not compensate them? Then whom do we despoil? Who are their successors? [An hon. MEMBER: The laity.] If the hon. Gentleman will please to observe we are now speaking of corporations. The charge of the right hon. Gentleman is that we despoil corporations. Now, we do not despoil, as I have said, but we compensate the present corporations; nor do we despoil those who are unnamed and unknown, and who, if there were no interference, would ultimately succeed them. Therefore, it is quite clear that according to the right hon. Gentleman's own showing we do not despoil corporations. Now, this is all very trifling. It is mere subtleties and waste of time. [*Cheers.*] I admit it fully. But bear in mind that that is the whole argument of your champion. There was not another word —I defy any Gentleman who may follow me to point it out. There was not a single word that he said about the Irish Church which showed that he knew or cared anything about that Church except that it was an Establishment and that it was a corporation. There are many young Members in this House, and I venture to offer a caution to them; and it is this—they are not to suppose that the right hon. Gentleman cannot speak very differently from that when he chooses. No man can speak more directly to the point than the right hon. Gentleman, or put a case with more force, or grasp it more completely; but sometimes it does not serve his purpose to do that, or to be so cogent and convincing. I observed that, when he had mentioned the word "education," he substituted the word "instruction," and I cannot help thinking that this exhibition of the sort of argument which can be adduced in favour of the Irish Church, and which can with such ease be taken to pieces, was meant as another example of the process of which we have seen so much—the process of political "education," or, if he likes it better, of "instruction." I now turn to the speech of my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer). My hon. and learned Friend, in the position which he occupies on this question, deserves, and I am sure commands, the sympathy of every one in this House for his strict conscientiousness, and I can assure him that if I am obliged to differ from him I do it with the very greatest respect. But it did appear to me that my hon. and learned Friend was much more happy in the tone and feeling which he infused into the debate than in the arguments which he used. ["Oh, oh!"] I will take nothing for granted. I will give my reasons for my opinion. My hon. and learned Friend required information on three subjects. He was ready to consent to disestablishment, but wished it to be shown to him that the disendowment of the Irish Church was necessary, just, and salutary—a most reasonable request. He began by saying that disestablishment did not necessarily involve disendowment. He did not give any proof of that, nor do I think there was any reason why he should; because nothing is more manifest, abstractedly considered, than that the connection between a great corporation and the State could be broken off without depriving it of its revenues. But surely the inconvenience of such a proceeding might easily have presented themselves to the acute mind of my hon. and learned Friend. What would be the effect of the disestablishment of the

Irish Church, leaving that Church in the possession of £16,000,000, without any connection with the State, without any of that control which the right hon. Gentleman opposite thinks so necessary, and with absolute freedom to regulate her own affairs in her own way, in a country like Ireland, with no other check except such as might be imposed by a court of law—not by an ecclesiastical court. It seems to me that it would be the foundation of a species of theocracy; with so temendous a power backed by such enormous wealth, and so utterly unchecked, it is impossible to conceive the amount of disturbance which such an element might introduce. ["Oh, oh!"] Hon. Gentlemen seemed to be going on very fast indeed. They are apparently in favour of a free Church in a free State; but I confess, with my slow rate of progress, that I for one look with horror at the idea of an immense corporation wielding all the formidable power which its money and its position could give it in a country like Ireland. Of course it would either side with the civil Government or it would oppose it. If the two sided together, no doubt they would be irresistible, and therefore it would be worth while for the Government to secure its support by any concessions. But if, on the contrary, the two were arranged as hostile powers, and engaged in quarrelling with each other, would not a vast element of turmoil and confusion be introduced into Ireland? And I would remark that such a thing would involve not a continuance of endowment, but a re-endowment, because the property of the Irish Church was given not by persons who made it a condition that it should continue to be established, but by persons into whose heads it never entered that it would be otherwise than established. If you take away from the Church its connection with the State, you take away its peculiar character, it is essentially a new institution, and the money would be really as much re-invested as if it were given to another body. So much for necessity. I next come to justice, and on that my hon. and learned Friend says that everybody who is in possession of this property is in want of it, and having done nothing to forfeit it, ought to retain it. That is the position which he lays down. The effect of that, of course, would be to make all endowments perpetual. A thing, once done, could not be undone; and however inconvenient, however noxious, however the course of time or the change of circumstances might render it necessary to alter it, you would be met by this rigid and invincible law of property which he lays down, and which it would not be possible to get beyond. As for possession, of course they have that. As to want, everybody wants to keep what he has got. And as for forfeiture, an endowment may be in the highest degree useless and mischievous to a country without the particular owners and occupants of it having done anything to render them in any manner liable to forfeitture. Then my hon. and learned Friend went on to say that the Church had a legal title. If it had not, it would not be necessary to pass a law to take it away. The very foundation of our Bill—one of the very first things we must assume before we pass this Bill—is that there is a legal title, because it is not necessary to invoke the assistance of Parliament to take away property from those to whom it does not belong. Therefore, I do not think that carries it any further. Then my hon. and learned Friend says that every congregation has a vested interest. What is meant by "vested interest?" I was surprised to hear so great a lawyer as my hon. and learned Friend apply the term vested interest in that sense. This is what I understand by a vested interest; and I am open to correction if I am wrong—["Hear!"]—but not before I am wrong. It is this—that where you destroy a College or other institution for public reasons, the persons who have actually got a position in that institution, and have a reasonable expectation of remaining in it, should not suffer for the public good, but should have their position made good for life. But that is not what my hon. and learned Friend contends for. He claims for them as an inalienable right that they should hold their position in perpetuity. But that is not a vested interest. A man has not a vested interest in his own property. The owner of a fee-simple has not a vested interest in the sense in which we use the term, and these people according to him, are just the same. That is to say, they have no legal title at all, and no legal ownership whatever, but they have got a "vested interest," as he calls it; according to him they have an inalienable right, whatever be the circumstances of the time and the necessities for change, and they ought to continue to have the same ministrations in their churches by ministers paid by the State. ["No, no!"] All I can say is that that is the argument of my hon. and learned Friend. Now, if that be so, I should like hon. Gentlemen to consider this—The State has undoubtedly the power of making, unmaking, modifying, moulding, dispossessing, and endowing corporations. ["No, no!"] Has it not? Having that power, does no responsibility go with it? Can it really be contended, as my hon. and learned Friend contended, that the State is bound to stand by, having the power to correct gross abuses? and to see those abuses exist merely because those who commit them have a legal title or a vested interest? The State may hold its hand and forbear to exercise its power, but it cannot elude the responsibility which waits upon the possession of power, whether exercised or not; and it is for that reason I contend—and in doing so I fear I come under the ban of my hon. and learned Friend—that these public corporations exercising public functions and spending public money are neither more nor less than departments of the State, over which it is the duty of the State to watch just as much as over any other public department. Then my hon. and learned Friend said another thing which astonished me. He said that a monastery was an institution which existed only during the life of the present possessors, so that when the last monk died out the monastery was gone. But, I always thought that, according to the old law of England prior to the dissolution of the monasteries, a monastery was a corporation with a perpetual succession. [Sir ROUNDELL PALMER: I said when it was dissolved.] That is to say, when a monastery ceased to be a monastery it was not a monastery. Well, on that point I quite agree with my hon. and learned Friend. Now, I am very much frightened by this remark of my hon. and learned Friend, because, knowing his great ability and authority, I was afraid he might succeed in instituting a perfectly Chinese system in this country—that anyone, however bad, who got hold of any kind of public property must keep it, and that the State must be engaged like Frankenstein in creating a set of hobgoblins and giants, which it could not unmake, and which would make its life miserable. I was very much relieved by the latter part of his speech, because, after having proved to his own satisfaction, first, that no disendowment was necessary, and, secondly, that no disendowment would be just, he proceeded to propose to take one-half of the endowment away at once. He proposed, for instance, to take away the estates of the bishops and capitular bodies, and of the Ecclesiastical Commissioners, and the endowments of all the small parishes which have not 200 inhabitants. ["No, no!"] I assure hon. Gentlemen that my hon. and learned Friend really did propose that. My hon. and learned Friend, who is a great Chancery lawyer, laid down a rigid code, and then suddenly wheeled round without the least notice, and after having proved that to take away any endowment was the most wicked thing in the world, he immedidiately proposed to take away one-half of the endowments. There is a well-known distinction between questions of kind and questions of degree. I can imagine my hon. and learned Friend differing from us as to the quantum of endowment; but how he could argue as he did in favour of absolute rights of property, and the inviolability of corporations, and of congregations who have no legal ownership at all, I cannot understand. My hon. and learned Friend assumed that want was to be our criterion, but how does he proceed? Why he spares the North of Ireland where there are large congregations, and where it is comparatively easy for people to collect subscriptions for the ministers, while he ruthlessly sweeps away small congregations in the South and West of Ireland where there is no such power of raising funds. That is his notion of making want his criterion. He takes away the support of the State where the people are poor and where it is needed, but he leaves it in places where the people are rich and do not need it. That puts me in mind of nothing so much as of Saul, who spared the fat and good cattle, but all that were lean and refuse he utterly destroyed. My hon. and learned Friend is of opinion that the Church will not raise contributions under the voluntary system. What an idea he must have of the value which is set on the ministrations of the Church when he argues that those of its members who are most able to contribute will refuse to do so! My hon. and learned Friend objects to the disendowed Irish Church being compared with the free Churches of other countries. He is driven, therefore, to take up this position. He says that the rich members of the Irish Church will not contribute towards its maintenance, and that, although considerable funds must be necessarily placed at its disposal, it cannot, for a moment, be expected to compete with the Free Church of Scotland, which went out unaided, and in the course of a few years raised up a vast number of schools and churches. Now, if you wish to form the worst opinion possible of the Irish Church, you should listen, not to its enemies, but to the account given of it by my hon. and learned Friend. I will now turn to the right hon. Member for Trinity College (Dr. Ball), of whose speech I must speak with admiration and respect. My right hon. and learned Friend was at great labour to prove what I think he might have assumed—that the end and object of this Bill was to establish voluntaryism in Ireland, and he went on to state his objections to the voluntary system. But does not all this come a little too late? Need we travel through America and Australia to find an answer to his argument? Where is there a country so entirely under the influence of the voluntary system as Ireland herself? When you declaim against the voluntary system you declaim against yourselves. Ireland has got the voluntary system because the Government of England took away from the Irish people the funds which were appropriated for the purposes of their religion. ["No!"] There has been a nation on one side and a Church on the other. ["No!"] Hon. Gentlemen appear to be confused by the term "State Church," but, in point of fact, the State Church in Ireland is not the national Church, and the national Church is not the State Church. Such religious life as there is in Ireland is purely voluntary. If you want to find where religion does not prevail go to where it is richly endowed, for where it does prevail it is poor and needy. Therefore, it is rather too late to urge this objection about voluntaryism. We have made voluntaryism in Ireland, and we cannot unmake it. There is no pretence for saying that we have been generous in framing this measure. I cannot understand being generous with other people's money. We must, however, try to be just. We have laid down a principle, and it appears to me a just one. We say—"We must disestablish and disendow the Church, but we will make a great and important organic change by which not a single man shall suffer injustice;" and as far as we can do so we have wrought out that principle in the Bill. We have contrived to give *suum cuique.* A great State necessity obliges us to put an end to the Establishment; but we shall take care that persons are not placed in what would be a pitiable situation owing to no fault of their own. And then as to the Church Body. It is complained that we have not attempted to form a New Church Body. I think it would have been very unjust if we had. After withdrawing from the Church her property and her status what right had we to interfere further with her? There is one thing we have left her, and that is freedom to regulate her own affairs. I do not believe that a word would have been said in the Bill about her internal affairs had it not been necessary that a Body should be appointed to receive the proportion of the money which is to be handed over to her. The right hon. Gentleman taunts us with not being able to plunder the Church without her own co-operation. I think he is in error. As far as the harsh and severe part of the Bill is concerned—namely, that relating to disendowment and disestablishment—all that might have been carried out with the most literal exactness without calling for any assistance from the Church, which is only required when we want to remedy, in some degree, the harshness and severity. We want her assistance to constitute a Body to whom we may make over such things as we can properly and reasonably make over in accordance with the plan we have laid down. Then the question really remains, what is the principle on which we ought to act? I do not think it is the principle on which my hon. and learned Friend behind me has based his argument, for the reasons I have stated. We should, in my opinion, look upon the whole subject, not from a legal nor sentimental point of view, but from the most elevated point of view which we can take —that is, as a matter of justice and conscience. The true question we have to consider is, were, or were not, the many made for the few? Is it, or is it not, in accordance with the order of society, and with that principle which secures the prosperity and welfare of nations that a very small portion of the people of a country should monopolize to itself a large share of the public money, to the exclusion of the poorer, and far more numerous, portion of the community? Was it right that the French *noblesse* should enjoy an exemption from the burden of taxation? If that were wrong, on what principle can it be fairly contended that a certain portion of the Irish people—a small portion—should receive exemption from the charge for the maintenance of religion, which falls so heavily on the members of other denominations in Ireland? This is sometimes represented as a religious question, as if religion could have anything to do with this sort of iniquitous favouritism—the result of conquest, and enforced by violence. Can that which would be wrong in secular matters—which would be intolerable, for instance, in the case of an hospital, that it should be devoted exclusively to the relief of members of one denomination—be right in the case of the most sacred of all things, religion; as if the very fact that, the services to which these funds are applied being religious services did not make it a great deal worse that they should not be dealt with in the most scrupulous fairness on all sides? We are told that we ought to erect a bulwark against Popery, but I would observe that it is no part of the business of a Government to erect bulwarks against any form of Christianity. Of the Roman Catholic religion, it may be said as of the Shannon, that the more bulwarks are set up to stem its course the higher does it rise and the more land does it inundate. I cannot, I think, state my case in fewer or better words than those of Swift, which, to my mind, have peculiar force—

> "If God be the sole Lord of conscience, why should the rights of conscience be subject to human jurists?"

This, I hope, Sir, is the beginning of a time when we shall give up not only the idea of persecution, but the language of toleration—that is to say, when we shall come to admit that one man's faith is not a thing to be tolerated by another man, but to be respected, and shall neither impose penalties and disabilities on the one side, nor give bounties on the other, as in this case, to any particular sects; but when we shall obliterate from the statute book and from our minds any notion of social or other superiority as attaching to a man's religion, and when it shall be free for every man to choose his own creed and to walk according to it. There can be doubt, notwithstanding what has been said by the right hon. Gentleman the Member for Buckinghamshire, that a man can obtain such certainty in those matters as may be a guide to him through life, and a comfort to him at the hour of his death; but let us at once give up the notion that you can establish an objective certainty in religion, such as a State would be justified in enforcing by penalty or otherwise. I hope to see this change effected, in some degree, by that which we propose to do by means of this Bill. I hope also to see another thing, and that is this—The Irish Church, from the very necessity of its position, is obliged to exaggerate the differences between Roman Catholics and Protestants in Ireland. Its *raison d'être* is to embody the principle of violent opposition to Rome, and if it were to begin to give up that controversial and polemical attitude, it would feel that, as now constituted, it was sapping its own foundation in the country. I do trust, therefore, that it may be found to be one of the advantages of this measure that that feeling may be put an end to. When there is nothing to fight for, I cannot but hope for peace. But, after all the hard things I have had to say about the Irish Church, I confess my mind is so constituted that I cannot view, without considerable regret, the destruction of an institution which has lasted so many years, and which has been so long interwoven with our history. When that feeling occurred to my mind I returned to that period when a black darkness settled over Ireland in 1692, after the Civil Wars, when she was condemned to suffer all the miseries which the frantic rage of a victorious faction could inflict, and whent he most infamous Penal Laws were enacted. If ever a Church had a high mediatorial function offered to it to discharge it was the Church of Ireland at that time. It was connected by race and principle with the victorious party, but as a minister of religion, a professor of a common Christianity, and an avowed teacher of the doctrine of love, peace, and reconciliation, it had powerful agencies at its command, and should have put these into operation to mediate between the two races. I have sought, however, in vain for any evidence that the Irish Church remonstrated against any of those dreadful Penal Laws. It folded its arms and stood by like the English Parliament, while the Irish Parliament worked its wicked and cruel will. It thus lost a great opportunity of winning to itself, if, indeed, it were possible to do so, the hearts of the Irish people. That opportunity returned again, when the English Government, alarmed at last, did tardy justice to the Roman Catholics of Ireland by the Emancipation Act. The Irish Church might then have stood forward and emancipated itself from the narrow prejudices by which it had so long been trammelled, but it declined to do so. It had a last chance of redeeming its position and obliterating religious dissensions afforded it when Mr. Stanley, with a liberality which did him infinite credit, introduced his scheme for mixed Irish education. But how did the Irish Church receive that scheme? It stood aloof. It took an attitude of hostility. It set up a small useless competition of its own against the Government plan, and for once in its life succeeded in uniting the bigots of all other denominations in the endeavour to stifle this noble work. That was its last chance, for it seems to me that it thus cut itself off from all sympathy with the nation, and that nothing was wanting but the fulness of time to bring about the fate which now threatens it. Mr. Burke, whom the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball) quoted as a high authority on this subject, speaks in one of his letters of the Irish Church as being a great and grievous infliction on the Irish people, who had to bear the cost of two religious Establishments—one which they do believe in and another in which they do not. This, however, Mr. Burke went on to say, was unalterable. At that time I do not know how any man could have said otherwise; the conditions of society were then such that it was vain to look for a change. But the conditions of society are now altered. The minds of men have become enlightened. They see things now no longer through the haze of prejudice and bigotry which surrounded them in the last century, but in a better and purer light. The present state of things in Ireland is no longer unalterable. We can alter it, and we will.

MR. WALPOLE moved the adjournment of the debate.

MR. GREENE objected to the adjournment at so early an hour of the evening, as there were many Members on both sides who had not yet spoken. They had not yet come to the practical question before them. He had been a Member of the House since 1865, and he could safely say this question had never been made a prominent question until the right hon. Gentleman the First Lord of the Treasury found himself in Opposition, and found also that it was difficult to unseat the Conservatives without bringing that question forward. The measure was fraught with dishonesty, and the country had not yet given its voice upon it. Hon. Members should be allowed to go again to their constituents upon this Bill. It was said that the Roman Catholics of Ireland felt the Irish Church as a grievance. Now, as Protestants, they protested against the errors of Rome, but the First Lord of the Treasury was now asking them to degrade the Protestant Church at the bidding of Romish priests. It was all very well for hon. and right hon. Gentlemen on the opposite side to say—"The old cry of 'No Popery' is not now uttered," but he was one of those who would say "No Popery." It was said in the debates last year that the Irish farmers would not go for disestablishment: then they should be deducted from the Roman Catholic and added to the Protestant population. Absenteeism was complained of, but this Bill would produce it in ten-fold greater amount. The voluntary system must fail in Ireland, and there was no analogy between Scotland and Ireland, for the people who left the Scotch Church were wealthy people. And then it should be remembered that Scotland was a purely Protestant country. He did not believe that the voice of the country was in favour of this measure, and the Bill was not in accordance with the previous speeches of the right hon. Gentleman. He used to look with satisfaction and delight upon the fact that there was a man of such talent as the right hon. Gentleman to lead the Opposition. He did not blame the right hon. Gentleman for changing his opinions, but was the man who changed his opinions on all questions the man to lead the country? Much had been said about Irish discontent. But the Irish Church had never before been brought prominently forward as the cause of that discontent, and the hon. Member for Cork, in 1867, had touched very lightly upon it, dealing chiefly with the land question. ["Read!"] No, he was happy to say that in the few remarks he should make he was not obliged to read, like an hon. Gentleman who had lately been returned to Parliament, and who read nearly all his speech. This Bill had not been asked for in Ireland. They were told that the hon. Member for Bradford (Mr. Miall) was the man to enlighten them all on this subject, but all that hon. Gentleman had done was to hand about a butter-boat. He for one would not entertain the Bill at all. Though hon. Gentlemen on the other side thought they could do everything because they had a majority, and told them they must accept the Bill, he would not accept it at all. The lame speech just made in its favour by the Chancellor of the Exchequer showed clearly that he had a bad case. As for the speech of the hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer), it should be circulated throughout the length and breadth of the land. It was said that the subject was exhausted; but the question had only now begun to be debated, and he recommended hon. Members on his side of the House not to divide to-morrow, for only about thirty out of 658 Members had yet had an opportunity of talking. He thanked the House for the kindness with which they had listened to him; for he remembered that on a former occasion they had refused to hear him. Many quotations had been made in the course of the debate from the former speeches of hon. and right hon. Gentlemen, but he objected to such a mode of discussion. For his part he believed that a man ought every year to wipe out everything he had said or done the year preceding. They had heard a few nights ago a quotation from something the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had stated when he was a lad. No real advantage could be gained by citing such passages. He (Mr. Greene) was not deeply versed in the history of the Irish Church, but he had studied quite enough of it to be satisfied that what they were about to do was as great a robbery as ever was committed. [*Laughter.*] That was his honest conviction, as well as that of the greater part of the people of England. Had Ireland been pacified, even temporarily by the promise of this measure which they now boastfully declared they were about to pass, but which would not pass? Perhaps the House might remember his prediction that the Reform Bill of the right hon. Gentleman opposite would not pass, and it did not. Who could trust a Government which let loose the Fenians—men who had been guilty of the foulest crimes—without any guarantee for their future conduct? Such a proceeding was enough to induce him to move a Vote of Want of Confidence himself. The day of retribution was at hand, and they might rely upon it that in the course on which they had entered Ministers would not be borne out by thoughtful and right-minded people in this country.

Motion *agreed to;* Debate *further adjourned* till *To-morrow.*

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Tuesday, 23rd March, 1869.

MINUTES.] — Select Committee — *Report*— Mail Contracts [No. 106].

Public Bills — *Second Reading*—Irish Church [27].

Committee—Report—Drainage and Improvement of Lands (Ireland) Supplemental * [55].

Considered as amended—Inclosure of Lands* [31].

Third Reading — Marine Mutiny*; Brazilian Slave Trade * [58]; Lands Clauses Consolidation Act Amendment * [34].

EDUCATION—SCHOOLS FOR CHILDREN OF THE WORKING CLASSES.

QUESTION.

Mr. BAINES said, he wished to ask the Vice President of the Committee of Council on Education, Whether it is intended, in the Return of "Schools for the Poorer Classes of Children," ordered to be made from the Municipal Boroughs of Birmingham, Leeds, Liverpool, and Manchester, to include all Schools for the Children of the Working Classes, and especially whether the Return will include Private Schools, Night Schools, the Schools and Classes of Mechanics, and similar Institutions, and Sunday Schools?

MR. W. E. FORSTER said, in reply, that if his hon. Friend would refer to the Return for which he had moved, he would find that it included all the schools in which the fee was under 1*s.*, and that would include all schools for the children of the working classes. But the Return was also intended to include schools for the children of those who unfortunately did not work, either because they could not or did not wish to find work—namely, ragged schools; and it was especially the object of the Government that the Return should include private schools, night schools, schools of mechanics' institutes, and similar institutions, and, in fact, all week-day schools. It was not intended to include Sunday schools, not from any feeling that they were not most useful institutions, but because the object of the inquiry was to find out the amount of secular education. They could hardly empower the Government Inspectors to examine schools at which religious instruction only was given.

IRELAND—FENIAN CONVICTS.

QUESTION.

SIR GEORGE JENKINSON said, he wished to ask the Chief Secretary for Ireland, Whether his attention has been directed to the nature of the proceedings at a banquet held at Cork on the 17th instant, in honour of the released Fenian Convicts, and presided over by the Mayor of that city, and to the language used at that meeting by John Warren, just released from a fifteen years' sentence, and whether these proceedings have been referred to the Law Officers of the Crown, or if other proceedings are contemplated; whether the Government have received any information as to words used at a meeting at Ballinasloe by another released Fenian Convict, Augustine Costello, released from a twelve years' sentence, and who said, at the meeting referred to "That he would, as long as he had breath, conspire and plot against the English Government;" and, whether these and the other released Fenian Convicts have been released unconditionally, or whether they receive their pardon subject to any condition as to their future behaviour? He wished also to ascertain from the right hon. Gentleman whether the number of Fenians enumerated in the Return on the subject have been released; if not, how many of them have; and, whether it is proposed that any of the Convicts in Australia shall be brought home at the public expense?

MR. CHICHESTER FORTESCUE: Sir, I have to state, in answer to the hon. Gentleman, that it is true that language of a seditious nature has been used at Cork and Ballinasloe by the two discharged Fenian convicts mentioned in his Question, and they are the only two, so far as I am informed, who have so grossly and disgracefully abused the clemency of the Crown. These proceedings have, of course, attracted the attention of the Government, who referred them to the Law Officers of the Crown, under whose consideration they are at the present moment. I may, however, add that, while I would venture to caution the hon. Baronet against attributing exaggerated importance, as it is quite possible to do, to the mischievous eloquence of those persons, I wish to say that the Government are by no means indifferent to these proceedings, and that we are quite determined such things shall not be permitted to continue. I have to state further that, after very careful consideration of that particular point, the Fenian convicts did not receive free pardons, as was done in the case of the Chartists in this country, but were discharged without conditions, our deliberate opinion being that we were not discharging any person on whom it would be worth while to make the attempt to impose those conditions. In reply to the last Question of the hon. Baronet, I have to say that the number of convicts mentioned in the Return which has been laid before Parliament will be discharged, and as to the conveyance back to this country of any of these convicts who happen to be in Australia, I may observe that I answered a similar Question on a former occasion, when I stated that the Government had no present intention of adopting that course, while they held themselves free to consider any particular case on its individual merits. I wish to take this opportunity of stating that I have observed in a leading journal this morning an assumption that two of the Fenian convicts — namely, O'Donovan Rossa and Luby—had been discharged, and were included in the list of those to whom the clemency of the Crown had been extended. That is a mistake. They are not included in that list.

IRELAND—THE MAYOR OF CORK.
QUESTION.

MR. HENRY said, he would beg to ask the First Lord of the Treasury, If there is any truth in the statement made by the Mayor of Cork at a banquet held in that city on the 17th of March, in honour of the released Fenian Convicts, and presided over by the Mayor, and at which meeting he was reported to have used the following words:—"That they had Mr. Gladstone on their side, who, he felt confident, would release the rest of the Fenian prisoners;" and if there was any foundation in fact for that statement?

MR. GLADSTONE: As I learn, Sir, from the Question of the hon. Member that the Mayor of Cork has said "he felt confident that Mr. Gladstone would release the rest of the Fenian prisoners," I conclude, therefore, that there is some truth in his statement, because I cannot deny that the Mayor of Cork may feel confident on that subject. With respect to the other part of the Question—whether there is any foundation, in fact, for the statement of the Mayor of Cork—I have only to say that Her Majesty's Government have formed no intention to release any more of the Fenian prisoners.

THE CADASTRAL SURVEY.—QUESTION.

SIR LAWRENCE PALK said, he would beg to ask the Secretary of State for War, When the Cadastral Survey of the mining districts of England will be completed, and especially the mining districts of Devon and Cornwall, where there are the richest mines of tin, copper, and other ores?

MR. CARDWELL said, in reply, that the cadastral survey of the mining districts had been commenced in Flint, Cheshire, Derbyshire, and Denbighshire, but not in Devon or Cornwall, and the time at which it would be completed there, would depend on the order in which it would proceed in the rest of the mining districts, including Staffordshire and South Wales.

BRIDGWATER ELECTION.—QUESTION.

MR. LANGTON said, he wished to ask Mr. Attorney General, Whether he intends to recommend that a Commission should be sent to Bridgwater to inquire into the corrupt practices which the Judge reported to have extensively prevailed at the last Election; and, whether he intends to prosecute those whose names were mentioned in the Judge's Report?

THE ATTORNEY GENERAL said, in reply, that he intended to move an Address to the Queen for a Commission to inquire into the alleged corrupt practices at Bridgwater. In regard to the prosecution of those persons whose names were mentioned in the Judge's Report, that point was now under consideration.

TRANSFER OF LAND.—QUESTION.

MR. T. CHAMBERS said, he would beg to ask Mr. Chancellor of the Exchequer, When the Report of the Transfer of Land and Middlesex Registry Commission, of which he is a member, will be ready; and whether provision cannot be made to obviate the necessity for the references in the ordinary business of registration to a Judge of the Court of Chancery, provided for by "The Transfer of Land Act, 1862," and the multiplication of hearings and appeals consequent on such references?

MR. STANSFELD said, in the absence of his right hon. Friend the Chancellor of the Exchequer, he would beg to state that, as the Report was in draft and not yet agreed upon, it would be premature to make any statement as to the provisions that would be recommended.

THE SANITARY ACTS.—QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for the Home Department, If it is his intention to introduce, during this Session, a Bill to consolidate the various existing Sanitary Acts, or to reconcile the conflicting Clauses in some of them, especially with reference to the powers and duties of governing bodies of Special Drainage Districts, formed by order of the Secretary of State under the Acts of 1867 and 1868?

MR. BRUCE, in reply, said, it was not his intention this Session to introduce a Bill to consolidate the Sanitary Acts, although he quite admitted that the subject was one worthy the attention of the Government. In answer to the latter part of the Question, he hoped to be able to bring in a short Bill promoting the union of districts for sanitary purposes, so as to solve the doubts and difficulties which surrounded that part of the question.

CLERGY IN THE WEST INDIES.

QUESTION.

MR. CRUM-EWING said, he wished to ask the Under Secretary of State for the Colonies, Whether, in view of the approaching expiry of the Jamaica Clergy Act, he will lay before Parliament a Statement of the amount paid out of the Colonial Revenues for Ecclesiastical purposes, together with the religious statistics of the Island; and, whether he will lay before Parliament similar information regarding the whole of the other West India Colonies and British Guiana?

MR. MONSELL, in reply, said, there would be no objection to produce these Returns.

AGRICULTURAL STATISTICS.

QUESTION.

MR. READ said, he wished to ask the President of the Board of Trade, When the Agricultural Statistics will be collected this year; if Horses will be included in those Returns; and, if any other attempt will be made to render those Returns more comprehensive and complete, especially with regard to Live Stock; also, the estimated cost of those Statistics, and the amount of Postage included in that sum; and, why two separate Returns in 1866 cost £10,000, while only one in the following year cost £18,000?

MR. BRIGHT: Sir, it is the intention of Government to collect the statistics on the same day as in previous years, the 25th of June. I believe it is not intended to take any returns of horses, for a reason which I am very sorry to state; it is, that the farmers are understood to suspect, if anything is asked about horses, that it is intended to bring upon them assessed taxes. I hope this is not true —and if it is not, I know no reason why horses should not be included—but I understand that is the reason why they have been hitherto excluded. There is great difficulty in the work which has already been undertaken, but the Board of Trade will be very glad to listen to and consider any suggestions which can be offered to them with a view to make the Returns more complete. As to the expenditure, I understand that last year the Returns were made by no fewer than 530,000 occupiers of land and owners of live stock; and not fewer than 2,400 revenue officers were employed in collecting the facts. That work was much more extensive than was expected, and much more costly; and the Inland Revenue Department this year ask for a Vote of £12,000 for the purpose of collecting the agricultural statistics. With regard to the latter part of the Question of the hon. Gentleman, the two Returns of 1866 included live stock and acreage collected at different periods, and the cost, including postage, which was £10,000, was a sum of £21,000. The postage is not an actual charge, because it is a matter of account between one Department and the other. The united Returns of 1867 cost £18,000. There is great difficulty in making out these Returns with any accuracy, and the Board of Trade will be extremely glad if the hon Member can give them any suggestion which would enable them to do what they undertake more accurately.

MR. READ said, he wished to know whether the estimate of £12,000 included postage?

MR. BRIGHT said, that the £21,000, in 1866, included postage, and so did the £18,000 in the succeeding year; but the £12,000 would not include postage.

ARMY—THE MILITIA—THE SNIDER RIFLE.—QUESTION.

MR. COLLINS said, he would beg to ask the Secretary of State for War, Whether it is the intention of the War Office to supply the Snider Rifle to all the Militia Regiments for this year's training; and, if to any, to what Regiments, and upon what principle such distribution will take place?

MR. CARDWELL said, in reply, that twenty-four regiments of Militia would be furnished with the Snider Rifle, the whole number of men so armed being 16,789. The principle on which the selection had been made was this—Those regiments had been chosen which were either going to Aldershot or to Shorncliffe, or which within the last three years had most systematically devoted themselves to rifle practice. Four regiments were in the first category—namely, the 3rd Royal Middlesex, the 5th Royal Middlesex, the 3rd Royal Surrey, and the West Kent. Twenty regiments were in the other category — namely, the Bedford Light Infantry, the 1st Royal Cheshire Light Infantry, the 2nd Royal Cheshire, the Cornwall Rangers, the 1st Derby, the 2nd Derby Rifles, the East Essex Rifles, the East Kent, the Royal Glamorgan, the 5th Royal Lancashire, the Royal North Lincoln, the Royal Monmouth Light Infantry, the Royal Radnor, the Royal Wiltshire, the Worcester, the Royal Aberdeen Highlanders, the Queen's Edinburgh Light Infantry, the Inverness Highland Light Infantry, the Royal Perth Rifles, and the Ross Highland Rifles.

SALMON FISHERY BILL.—QUESTION.

MR. LIDDELL said, he wished to ask the Under Secretary of State for the Home Department, What progress has been made in the preparation of a Bill to amend the Salmon Fishery Laws of 1861 and 1865; and when he proposes to introduce such Bill?

MR. KNATCHBULL - HUGESSEN said, in reply, that since a deputation had waited on him upon this subject he had been the fortunate recipient of much correspondence relating to it, and had been endeavouring to mature a measure for the amendment of the Salmon Fishery Laws of 1861 and 1865. At present he could give no more satisfactory answer than that he would endeavour to lay a Bill on the table at an early period.

IRELAND—RUMOURED RESIGNATION OF THE LORD LIEUTENANT.

QUESTION.

MR. VANCE: Sir, I wish to ask the First Lord of the Treasury, Whether there is any truth in a rumour which I have seen with much regret—namely, that Lord Spencer has tendered his resignation as Lord Lieutenant of Ireland?

MR. GLADSTONE: I have no communication whatever to make to the hon. Gentleman and to the House on the subject. I have no reason to suppose that there is any truth in the rumour.

IRISH CHURCH BILL—[BILL 27.]

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

SECOND READING. ADJOURNED DEBATE.

[FOURTH NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [18th March], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Disraeli.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. WALPOLE: Sir, after the remarkable character of this debate, which has already been prolonged for three nights, and especially after the speeches of the right hon. and learned Gentleman the Member for Dublin University, (Dr. Ball) and of my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), I feel it would be unjustifiable in me to make any lengthened observations, which, under other other circumstances, I should possibly have done, on the question before the House. I therefore propose to confine myself solely to the important principles involved in the Bill. This measure was described, on its first introduction, as the most grave and arduous work of legislation ever submitted to the House of Commons, and I think it deserves that character. What are we invited by the Government to do? We are invited for the first time in English history—and, with one exception, I believe I might say for the first time in the history of Christendom—to do away with the religion of the country as a national religion, and thus to make what I think I may call a legislative revolution in our fundamental laws, upon that which is one of the most important of subjects—one of those subjects that are most dear to the convictions and feeling of a religious people. I have said that this is the first time in our history such a measure has been proposed. There may have been times, some of which were alluded to last night by the hon. and learned Member for Richmond, when disestablishment and disendowment were partially, and for a short period, carried into effect; but I know of no time when either the one or the other has been attempted except on occasions of what I may call rebellious anarchy, such as no one would desire to apply to the present state of things; or unless the trust on which the Church was founded, and the trust on which its property was given, had been so much abused and perverted as to call for the interference of the State. The right hon. Gentleman the President of the Board of Trade (Mr. Bright), in that most powerful and remarkable speech which we heard the other night, reminded us of a saying of Wycliffe, that "when endowments are abused Princes may take them away." And he added thereto an aphorism of his own—that when endowments are mischievous Parliament may divert them to other uses. I will not dispute either of those sayings, for, on the contrary, I believe in both of them, but I take them as the test by which I to contend that you cannot justify the passing of this measure on only such grounds; and, in the absence of any such justification, I venture to call a measure of this kind a legislative revolution. Now, I do not say that a legislative revolution is necessarily a bad thing. It may be either a good thing or a bad thing, according to circumstances, and in the present case I wish to try the question by the only test which it can be tried by—namely, by asking myself and the House this question—From what does such a revolution arise, and to what is it likely to lead us? We have had legislative revolutions in this country—revolutions in government and revolutions in religion. We had a revolution at the time of the Reformation. We had a revolution when we excluded the House of Stuart from the Throne. But from what, and to what, on those occasions did these revolutions tend? The revolution at the Reformation brought us from foreign interference, and what we believe to be corrupting errors, to national independence and Protestant purity of faith and worship. The revolution which took place when the House of Stuart was excluded from the Throne brought us from lawless usurpation and invaded liberty to responsible government and constitutional freedom. On both occasions, when we ask ourselves from what, and to what, did those revolutions tend, we find there was everything to justify them and nothing, in my opinion, to find fault with them. But let us ask ourselves the same question with reference to this measure—from what, and to what, is it likely to lead? On the two occasions to which I have referred there was no destruction of anything which formed part of our national system. They were Reformations and Restorations. But this is to a certain extent a measure of destruction. It violates fundamental laws. It invades prescriptive rights. It abolishes institutions hitherto deemed essential to the well-being of the community. Now, I will endeavour to apply my test to this measure, and I will apply it to both the objects which it proposes—disestablishment and disendowment; and as my hon. and learned Friend the Member for Richmond applied an adjective to the latter of those objects, I will take the liberty of adding an adjective to the former, because I think it will more fully illustrate the argument I wish to press upon the House. My hon. and learned Friend added "universal" to disendowment, and the adjective I would add is "entire" to disestablishment. I shall speak of entire disestablishment and "universal disendowment." My hon. and learned Friend the Member for Richmond supports the measure upon the first principle involved in it—namely, entire disestablishment; but he objects to the measure with reference to the other principle it involves—universal disendowment. But why does he draw that distinction? As far as I can follow him—and he spoke so clearly that it was impossible not to follow him on every point—his reason for supporting the measure with reference to disestablishment was this—it was so important to give satisfaction and peace to Ireland that he would willingly remove all those symbols and tokens of civil superiority and political ascendancy which are in any way connected with the character of an Establishment. Well, that is an intelligible ground; and if disestablishment were confined to that point, and to that point only, I can understand why my hon. and learned Friend supported that portion of the Bill. But there are circumstances involved in an Establishment which are not necessarily connected either with civil superiority or political ascendancy; and if those circumstances, not being so connected, are connected with your own people's religion and their rights, I say my hon. and learned Friend ought, with reference even to disestablishment, to have opposed the first part of this Bill as well as the second part. Now, in order to test this question, let me ask what does an Establishment imply? It implies, in the first place, a parochial organization by which the State secures to the people the ordinances of religion and pastoral superintendence. It implies, in the second place, a continuous corporation in order that the benefits so intended to be secured to the people should not only be universal but permanent. It implies, in the third place, a rule of doctrine and a form of worship which the clergy and laity have equally agreed upon, and which ought not, therefore, to be taken away till the clergy and the laity agree so to do; and it implies, in the last place, the supremacy of the Crown as a guarantee for the good government of the Church, and as a further guarantee against any ecclesiastical usurpation, whether it comes from abroad or whether it originates at home; and this supremacy is, in fact, made manifest partly by the creation, of rights inherent in the Crown alone, that is to say, of sees and dioceses; partly by the appointment of Bishops to have the charge over those sees and dioceses, and partly by supporting the supremacy of the law which secures the faith so protected through the instrumentality of your own tribunals. If that be a fair description of what Establishment implies, it is perfectly obvious that a great many of those things do not touch either civil superiority or political ascendancy; and when it is necessary to preserve an Establishment for these things, I think my learned Friend went too far when he said that he could support the whole of the first part of this Bill, involving as it does the removal of many circumstances connnected with your Church, which are, in fact, necessary for the maintenance of the Church itself. What does the Bill do in all these particulars? One portion of the Bill dissolves every corporation, aggregate or sole, and effectually puts an end to parochial organization; it takes away all the property of the Church and vests it in Commissioners, so that what was intended to give a permanent benefit to any parish may be taken away from it without any substitute or any equivalent being provided. Another portion of the Bill deprives the Crown of the right of appointing Bishops; and that part of the Bill is so connected with Clause 21, which constitutes a New Governing Body, that it deprives the laity of the Church, in my humble opinion—till I know what the new government is to be—of the true guarantee they have always had for preserving the doctrine, discipline, and worship of their Church. If that be so, what are the consequences which such a change must necessarily involve? The moment you pass this Bill, if a vacancy occurs in any benefice, and somebody is not ready and willing to supply means of his own for the purpose, so that it cannot be filled up, the congregation belonging to the church of that parish will be deprived of rights enjoyed for three centuries. Nor does it stop there; for unless you suppose the endowments you are going to take away to be casually replaced, there is nothing in the Bill to insure the continuance of the religious ministrations which that parish now possesses, and when you have taken away all the property of the Church that parish must rely entirely upon voluntary contributions to make good the spoliation which has deprived it of its property. But the strong point in my mind is the change which the Bill will effect as to the severance of the Royal supremacy from the Church of the country, and therefore removing that control which has been found necessary, and, I believe, will be found necessary, to the continued freedom of the Church. It is through that supremacy, and through that alone, that your doctrines and worship have been preserved. Through that supremacy, and through that alone, that, to a certain extent, innovations, and to a still further extent Ritualism, have been, and may be checked. Through that, and through that alone, a barrier is reared against the introduction into the Church of sceptical rationalism, on the one hand, or sacerdotal intolerance on the other. Now, Sir, the answer which is given to the objections that may be taken to this part of the Bill is two-fold. First, it is said—"There is a new body provided which will take care of these matters as well as they have been taken care of by the supremacy of the Crown." My answer is that the new body is such a shadowy substance at present, that I cannot judge what powers it will have, or how far it will exercise them to meet the difficulty I am pointing out. And my second answer would be that I doubt very much whether you can substitute such a new body as will effectually secure the same guarantees as we now possess. But then it is said—"Give freedom to the Church, and then your Church will do as other free Churches have done; all your difficulties will be met by the increased enthusiasm which you will excite among the people." The answer to that point given by my hon. and learned Friend the Member for Richmond last night was so powerful and so succinct that I will not weaken it by adding much of my own. But I supplement it to this extent, that I value freedom in ecclesiastical and temporal matters not less than any Gentleman in this House. I believe that freedom can do a great deal; but I also believe that the most perfect freedom you can give the Church, unaided and unassisted, will never meet all the difficulties by which you are surrounded. There are three Churches now in Ireland, and yet the ministers of those Churches, with all the appliances to meet the difficulties with which they are surrounded, and with all the activity to spread their own doctrine and discipline, are still insufficient to penetrate the dark recesses of ignorance and vice which, unhappily, exist around them. Take away one of those Churches, cripple its resources, curb its influence, and ignorance and vice will be added to more and more. No one can believe that ignorance or vice ever did or ever will seek, by its own aid, instruction from without or correction from within. I have quoted before in this House an observation of Dr. Chalmers, but I may be pardoned for citing again a remark that is as beautiful as it is true. Dr. Chalmers said that "Christianity must go forth in quest of human nature—for human nature unenlightened and uninstructed, would never go forth in quest of Christianity." Try the principle on a kindred subject. If anything would convince you that the mere voluntary principle cannot grapple with all its difficulties, let us see what has happened in the case of education. The voluntary principle is that on which we have have all been endeavouring to rely for the education of the people; but we have aided it by large contributions from the State. What is the result? Those who have been the greatest advocates of the voluntary principle are now becoming the greatest advocates of compulsory rates for building schools, and even of the compulsory attendance of the children. If, then, the voluntary principle has failed with reference to education, I fear it will also fail if that is the only thing to which you trust for preserving religion among our people. The conclusion, therefore, to which I come on this portion of the Bill is this—that disestablishment, although it might possibly be sanctioned to the extent to which it might remove any complaint on the ground of civil superiority or political ascendancy, ought not to be touched or shaken in the least degree when that Establishment is required for the maintenance of religion. I turn now to the question of disendowment, and here my hon. and learned Friend (Sir Roundell Palmer) has so grappled with and mastered the whole subject that it saves me from making any remarks that one might otherwise be tempted to urge to the House. There are, however, a few observations which occur to me on this subject, and firstly, in consequence of the very singular speech which we heard last night from the Chancellor of the Exchequer. The speech was so unsatisfactory as to make me desirous to offer to the House a few remarks upon it. If I understood him aright, he had the boldness to assert that the Government were only making new regulations which could not inflict injury on anyone. Now, let us examine that saying of the right hon. Gentleman. What is done by the Bill? You cannot deny, at any rate, that there is a forcible seizure of all the property of the Church, and the abnegation of all prescriptive rights to that property, without any pretence or allegation, and certainly without any proof that that property has been in any respect so perverted and abused that it ought to be taken away. And, having seized the property, what are you going to do with the produce of the property—as it will be called on that side of the House, and which we on this side of the House may be permitted to call, without being reprimanded—the spoil to be derived from that property? First of all you considerately say that the Church may still retain the fabrics, but on the condition that it undertakes to support them. These churches have now, at this moment, a fund set apart for the sustentation of the fabrics, and that fund you are going to take away, and having taken it away, you say you are going to leave us possession of the churches, but on the condition that we support them. And then my right hon. Friend says that this is doing an act which does injury to no one. Then, what are you going to do with glebe houses? You indulgently leave them the property of the rectors, and on what condition? On this condition, that they buy them back again by purchasing the site on which they stand. This is a most considerate and condescending way of dealing with the owners of these glebe houses which have had so much money expended on them out of the savings of those who inhabit them, that I believe they have bought them ten times over. What do you do with the residue of the great bulk of the Church property? You divide it into three parts, and you say that you will convert, for the purpose of vested interests, a certain portion into terminable annuities; but as these will be exhausted one after another as lives fall in, you make no provision for the congregations attending those churches, and who are really the persons entitled to the benefit of those churches, of which the clergy, to whom you are going to give the terminable annuities, are simply and solely the trustees. And yet you say that in doing that by which you deprive the congregations of their churches, of the means of religious instruction they have hitherto possessed, you inflict injury on no one. With wonderful inconsistency you deal in a different manner with the Presbyterians and the Roman Catholics. You capitalize their incomes in order that they may possess that permanent endowment which you deny to the Church. I will not say that is done in order to deprive the Church of its endowments and means of worship, but you do it in a manner which has that effect. I now turn to the third portion of the fund—to that portion which the President of the Board of Trade calls surplus property. What are you going to do with that? You are going to divert it from the purpose for which alone it was originally given to other purposes, which, however beneficial they may be, are not the purposes of the original donors. Then hon. Members have heard a great deal on the subject of corporation and corporate funds. One would have thought in listening to these remarks that the mere circumstance of all these rectories being so many corporations is a reason why you are entitled to deal with the property of those corporations just as you wish. On what basis such a proposition rests I do not know. You may say that the State has a right to resume and to deal with this property. According to the principle of the ablest jurists and the profoundest Statesmen that ever lived, no such right has ever been recognized, and I hope never will be recognized, as that the State may seize hold of any property of that kind. The State is the guardian and regulator of this kind of property, but not its proprietor. The State has a right to lay down rules, to give directions, to prescribe conditions, on which any and all property, including the property of corporations, may be acquired, held, enjoyed, alienated, disposed of, and transmitted, either by purchase or descent. But if those rules, directions, and conditions are once complied with, then, as soon as any parties, whether individuals or corporations, possess the property, according to these rules, directions, and conditions, nothing can entitle you, either in reason or in justice, to take it away, unless you can show that the property has been so perverted and abused that the State has a right to resume it. Sir, I have heard it said that there is a distinction between the property in this case and other corporate property, inasmuch as it came to the Church by conquest and by wrong. [*Ministerial cheers.*] Hon. Members on the other side cheer that observation. Whether it has come to the Church by conquest and by wrong would embark us upon too long an argument at the present moment. But whether the consequence which you intend to draw from that proposition follows is a matter which I think may be very shortly disposed of. What does all prescription mean but a right to hold property which, for long periods of years, has been held by any person without challenge? Last Session we had in this House one who is not now among us—a great thinker and a great Liberal—one not unfriendly to those among our Irish fellow-countrymen who would desire to legislate with regard to Ireland in a way which those upon this side of the House might not always approve, would he have encouraged the holding of a doctrine such as I have adverted to about a title by conquest and by wrong? In a pamphlet on the subject of England and Ireland he told you what is the real truth in regard to the case, that the property of Ireland—I am not speaking of Church property only, because it applies to both—that the hand of time had passed over them, and that the reversal of an injustice, if it was an injustice, might become in the minds of all reasonable men an injustice the more. I will take the liberty of reading the passage to the House—

> "The alien Church indeed remains, but is no longer supported by a levy from the Catholic tillers of the soil; it has become a charge on the rent paid by them mostly to Protestant landlords. The confiscations have not been reversed, but the hand of time has passed over them; they have reached the stage at which, in the opinion of reasonable men, the reversal of an injustice is an injustice the more."

I now pass to another portion of the subject—namely, the consequences of admitting doctrines which you propose to act upon, and the application of those doctrines to the case before us. These doctrines may generally be described, as what the First Lord of the Treasury calls the doctrine of *cy prés,* which doctrine has been further illustrated by the President of the Board of Trade. Now, according to that doctrine, the equitable doctrine of *cy prés* to which the First Lord of the Treasury alluded, nothing is more sound, nothing is more true, than that when property is impressed with a charitable object, and a part of this object fails, you may treat the property with respect to which the object has so failed as still impressed with the character of the trust, and, therefore, as properly applicable to the general purposes for which it was given. But what possible bearing can that doctrine have upon a case where the purpose for which the property was originally given has not failed, and where the original purpose is totally different from that to which you now propose to apply it? The two cases have no analogy, and cannot be argued or determined upon the same ground. But then the President of the Board of Trade steps in with that beautiful peroration to his most powerful speech—powerful as much in the moral sentiment which it inculcated as it was intellectually grand in itself—and he endeavours to impose on this property a religious character, suggesting that in following the advice that he would give us we are treading in the steps of our Divine Master. He pointed out, and very truly, that there was nothing more remarkable in the Founder of that religion than the way in which He went about doing good, healing the sick, giving speech to the dumb, hearing to the deaf, and sight to the blind; and though, he said, we could not hope to imitate Him in those miraculous gifts, we could do what was in our power to do—namely, to alleviate the sufferings of humanity in all those calamities which befall us. These, no doubt, were some of the attributes and proofs of the Messiahship. But they were not the only proofs—they were not the only attributes. The right hon. Gentleman omitted that which was, perhaps, the most characteristic among His attributes—that "to the poor the Gospel was preached." It is the glory and the triumph of Christianity that it has founded and erected hospitals and infirmaries for all those afflictions which befall man. But it is not less the glory and the triumph of Christianity that it has provided means and offices of religion for all those who would otherwise be deprived of them, and of those by whom the establishments so founded are used and valued the great mass are the poor of the land. As a comment upon the text to which I have been alluding, let me remind the House of a sterling passage in the writings of M. Chateaubriand—

> "The strength of Christianity lies in the cottage of the poor; for its basis is as durable as the misery of man on which it exists; 'to the poor the Gospel is preached.'"

What is the inference that we ought to draw? It is that the charitable object of providing for human suffering is a thing which we ought not only to encourage, but to defend and preserve; but that the other object of preserving and supporting religion for the benefit of all, and especially of the poor, is one not inferior, perhaps even superior, in importance to it. You can, therefore, in my opinion, no more take away those funds which were given for the benefit of the poor, and for the purpose of providing religious services for the poor, in order to give them to charitable institutions which, under other circumstances, might be entitled to receive them, than you would be justified in taking away from those institutions any of the funds which they possess to apply them to the preaching of the Gospel. The argument, therefore, of the President of the Board of Trade it seems to me will not support the application of the surplus which he proposes. I have said once or twice in the course of my observations that if the gifts of former times now vested in the Church have been perverted or abused—or, I will add, if you can show, as you sometimes think you can, that they are no longer useful for the purposes for which they were given—then I will admit that, under proper restrictions, you might have a claim to some of these funds for the charitable purposes to which you intend to apply them. But what is the state of things? You talk as if the Church of Ireland had entirely failed in its mission. You talk as if she were sleeping over her interests and neglecting her people; as if she had neither outward activity nor inward life. But what is the real state of things? There may undoubtedly have been abuses and anomalies in the Church, and possibly there may be some still. But during the last thirty years many of these have been removed; pluralities have been done away with; sinecures, in all cases, with the exception, I believe, of one, have been abolished; parishes have been in some cases united, in others divided, as union or division best tended to promote the interests of religion; contributions have been levied upon the richer livings to make good the smaller incomes of the clergy, and so active in all these material improvements has the Church been with its lay members, as well as its clergy, that I should just like to mention the progress which has been made within sixty-eight years of the present time, both as regards the number of clergy, the benefices, the churches, and the glebe houses. In 1800 there were 1,200 clergy, there are now 2,200; there were then, 1,120 benefices, there are now 1,510; there were then, 1,000 churches, there are now, 1,579; there were then, 295 glebe houses, there are now, 980, which you are kind and considerate enough to tell the rectors they may have liberty to purchase at their full value. But I do not wish to refer simply to the material improvement in the condition of the Irish Church; it has also made great advances in the way of spiritual improvement. I was astonished to hear the right hon. Gentleman the Chancellor of the Exchequer say last night that the Church in Ireland was set against the whole nation. Such exaggerated language as that ought not to fall from any person in this House, and still less from a Minister of the Crown. But is it true? I will not appeal for evidence on the point to the testimony of friends of the Irish Church, or to members of the Irish Church. I will not appeal, although I might fairly do so, to the striking testimony which was borne three years ago to the courage, zeal, and purity of the members of the Church in Ireland by the right hon. Gentleman at the Head of the Government; but I hope the House will allow me to appeal to the testimony of two witnesses, neither of whom could be suspected of partiality or prejudice. In the first place, I will appeal to the Roman Catholic Church, to the evidence of a Roman Catholic Bishop; and, secondly, to an English dignitary, who has had many opportunities of collecting information upon the subject, and who is calm-judging, thoughtful, and fair-dealing. Now, what does Bishop Moriarty say? Bishop Moriarty, in his letter addressed to his clergy, in the diocese of Kerry, says—

"In every relation in life the Protestant clergy we find among us are not only blameless, but estimable and edifying; they are peaceful with all, and to their neighbours they are kind when they come into contact with them; and we know that on many occasions they would be more active and beneficent, but they do not wish to appear meddling, nor to incur the suspicion of tampering with the poor Catholics. In bearing, manners, and dress, they become their station. If not learned theologians, they are accomplished scholars and polished gentlemen. There is little intercourse between them and us, but they cannot escape our observation; and sometimes, when we notice their quiet, decorous, and modest course of life, we find ourselves giving expression to the wish—

'Talis cum sis utinam noster esses.'"

Will the right hon. Gentleman the Chancellor of the Exchequer, after hearing that expression of opinion, say that the Irish Church has set itself up against the whole nation? With the permission of the House, I will advert to the other witness to whom I referred. What is the testimony of the Dean of Westminster upon the subject? In a book upon the Three Churches in Ireland, which he has recently published—and it must be remembered that he wrote this book before this measure was before the public—after alluding to the influence which the Established Church exercises even over Roman Catholics, he remarks—

> "This position Irish established clergy owe to their connection with the English State and Church. Other changes may take place in their condition; their bishoprics may be retrenched; their parochial ministrations may be curtailed; their revenues may be diminished; but so long as their position is preserved, their peculiar usefulness remains; if this is taken away, they may still perform functions common to those of other Churches, but their peculiar vocation is gone. The Episcopal Church may become an aggressive Episcopal or Presbyterian sect; it will cease to be what, with all its faults, it has hitherto been—the one religious institution which most constantly fostered liberty of thought and action, most steadily exercised a moderating influence on the country."

Will the right hon. Gentleman the President of the Board of Trade, after hearing that testimony, adhere to his statement that the endowments of the Church of Ireland have been so abused that they ought to be taken away—or that they are so mischievous that Parliament can divert them to other uses? I have endeavoured to express my views shortly, but I fear that I have trespassed upon the attention of the House at greater length than I intended. As I feel strongly upon the subject, however, I should wish to compress what I have said into a smaller compass, and, therefore, I trust that the House will forgive me when I put into a few short sentences my principal objections to the Bill before us. My broad objection to disestablishment is simply this—that for the first time the State is no longer to recognize their duty in securing religion and religious ordinances to the people, although they possess them now. My broad objection to disendowment is this—that you are taking away the means by which that religion and those religious ordinances can be secured to the people who belong to the Church, and are diverting it to purposes for which it was never intended. My broad objection to the Bill which proposes a combination of disestablishment and disendowment is that by it you will recognize the principle and introduce the mischief of an ecclesiastical communism; at all events, you will shake and unsettle the laws relating to ecclesiastical property, not only in Ireland, but, according to the way in which you argue the question, in England also. Possibly you will shake and unsettle the laws relating to other property; and certainly you will shake and unsettle the laws which relate to the property of corporations. Viewed in this way, I believe that this measure, instead of promoting the religious peace of Ireland, will impede religious progress; I believe it will alter the moral and religious condition of a great part of the Irish people; I believe it will create a void in the remoter districts of Ireland, and in the denser mass of the population of that country, which the utmost efforts of voluntaryism will never be able to fill up. Viewing the question politically, and having regard to the obligations which the Government of a country owes to its people, I cannot but see that you are destroying grants, annulling charters, and disturbing settlements upon which rest the rights, not only of the clergy, but of the laity also, while you are overturning at once the most solemn compact ever made between two independent Legislatures, which was declared to be essential, and which was covenanted to be perpetual; and you are doing this at the fiat of the stronger party against the will of the weaker party, whom, by that very compact, you have placed in such a position that it is no longer able to resist your acts. These are the objections I entertain to the Bill. The right hon. Gentleman the President of the Board of Trade said this measure will strengthen the Union, and restore harmony. If it would have that effect, we ought to make great sacrifices to secure such a result; but my belief and conviction is, that it will have a contrary effect. I, therefore, revert to what I said at the commencement—and say deliberately—that this is a revolution—a legislative revolution, indeed—but still a revolution of the worst kind; and when I consider from what it is taking, and to what it is dragging us, I trust that Parliament will yet pause before it will allow such a measure as that to become the law of the land.

SIR HENRY LYTTON BULWER: My right hon. Friend (Mr. Walpole) seems to think that liberty and prosperity were introduced in past times into Ireland by civil war and revolution. I hope that by introducing laws favourable to tranquillity and prosperity into Ireland to prevent future civil wars and revolutions. I shall not attempt, however, to argue the question before us either as a lawyer or a theologian, neither shall I enter deeply into subjects which would take me from the main point we have to decide—which is not merely how to deal with the Irish Church, but how to govern Ireland. For centuries that country has been governed under a system of inequality and partiality, and to the support of that system has been brought the greatest perseverance, the greatest talents, and all the resources of Imperial power. And yet, little by little, the ground upon which we have stood has been crumbling from under our feet, so that we are now on the last spot on which the battle of equality or inequality, of partiality or impartiality has to be fought. Resistance at this period seems to me an anachronism. When England allowed the Roman Catholics to be electors in 1793, she made it certain that they would before long be elected. When in 1829 political supremacy was given to the Roman Catholic majority, it became certain that religious supremacy would not long remain to a Protestant minority. From the earliest period that I have thought upon this matter, I have entertained the opinions I now entertain. Many years ago, standing on the spot where I now stand, I said what I now repeat—namely, that I could conceive a Statesman following any policy except an impossible policy; and I then thought our policy impossible, for it had not adopted the justice which conciliated, and it had abandoned the authority which commanded. It is said that the measure now proposed is premature and inconsiderate in its provisions. I can bring forward an authority against this charge? In turning over the pages of the *Grenville Memoirs* the other day, I found a letter from Mr. Charles Wynn to the Duke of Buckingham, dated December 1st, a letter in which Mr. Wynn said that he had talked to Lord Liverpool that very day on the state of Ireland, and that Lord Liverpool avowed that he saw no way of finally settling Irish difficulties, except either giving up the Protestant Church or converting the Catholics to Protestantism. No one, I believe, now contends for the realization of the latter alternative, and we thus revert to the former one, and are only at this moment carrying out the conclusion come to more than forty years ago by one of the most moderate and practical of English Statesman—a Statesman whose zeal for the Protestant Church was only limited by his interest in the British Empire. I do not say that the Bill by which we do so is perfect in all its parts. Various hon. Gentlemen opposite have found fault with some of its details. Its supporters do not say they shall adopt all those details when the proper time arrives for discussing them; but we are now discussing its principles, and these we do say that we adopt with all our minds and all our hearts, and will defend against our antagonists, whose accusations we repudiate as based on erroneous suppositions, and mistaken prejudices. What are these accusations? First, that we intend to violate or repeal the Act of Union. Now, we do not intend to violate or repeal this Act. We intend to alter it. Why? because Ireland has altered. When this Act was passed only Protestants had political power in Ireland. At this time Protestants and Catholics exercise political power on equal terms. The political Ireland of to-day is not the political Ireland of seventy years ago, and therefore, wishing our political union with Ireland to be a political reality and not a political fiction, we change our arrangements with Ireland to suit the change which has occurred in Irish affairs. We are next accused of the confiscation of Church property. Now the nature of Church property is a question that has been debated during the last eighty years throughout Europe, and persons may be permitted to differ upon a matter on which the wisest and ablest men have differed. Unanimity does not prevail on the opposite Benches, nor on these where I am sitting. Some contend that Church property is in the same condition as private property; some that it is more like corporate property; some, that the State may not touch it; others that the State may deal with it, but only for ecclesiastical purposes; others that it may also be used for purposes of charity and education; while many contend that being applied to national uses it is national property, and that therefore Parliament, as the representative of the nation, may dispose of it as it thinks best for national interests. I do not wish to enter into this general controversy; since it appears to me that the Irish Church and its property stand upon a peculiar basis—a basis which is *sui generis,* and which is therefore to be judged of by its own particular merits. What is the position of the Irish Church? It is not the Church of the Irish nation; it is exclusively the Church of the Irish State, and here it differs from the English Church, which, whether Roman Catholic or Protestant, has always been the national Church. Any one who takes the trouble to open our history will find that the wars between the Yorkists and Lancastrians were succeeded by a conflict between the Catholics and the Protestants. Elizabeth gave the ascendancy to the one, as Henry VII. had done to the other; and the Protestants gaining the ascendancy in England became the State, and sought, as the State, to establish the same ascendancy in Ireland. The Protestant Church was one of the instruments they employed to obtain this ascendancy. It was easy for philosophers and historians to say that the State might at that time have taken up an independent position between religious parties. The State itself was then a religious party; and as long as it had been itself a religious party it was quite natural, and for its interests expedient, to pay and maintain a religious party Establishment. But now that the State, amid an entire change of circumstances, has ceased to be exclusively Protestant, it can no longer exclusively pay and patronize a Protestant priesthood. The Irish Church I say is, and ever has been, the shadow and servant of the State, and must follow the policy of the State, which was formerly to favour one religion, and is now to be impartial to all religions. It is possible for us, following out this policy of impartiality, to divide the property at our disposal among any clergy, or to withdraw it from any. The first course was recommended by some, and, considering the great advantage, in a country divided by religions, of collecting the sanction of religion, in all its shades, round political authority, I understand that this course has many partizans. It would be the most statesmanlike if it were the most practicable one. But "Don Fernando can do no more than he can do." To have accomplished the plan to which I have just alluded—a plan recommended by my hon. Friend the Member for the county of Galway (Mr. Gregory)—would have required the union of opposite political parties and the adhesion of rival sects. But we could not get this union, nor this adhesion; and, therefore, seeing that that we are unable to pay all religions, we pay none. It is said that we thus inflict a hardship on the Protestant Church by depriving it of property it has so long enjoyed; a hardship on the Protestant laity by forcing it to pay for the support of that Church which has been so long supported for it. But was it not a hardship for the Catholic Church to lose the property it had so long enjoyed? Has it not been a hardship for the Catholic laity to pay their clergy, to which the State has never made any contribution? We do not wish to be harsh, but we must be just. We only mean to be just. It is said, notwithstanding, that we shall alienate the Protestant clergy and laity, and by preventing them from looking hereafter to England, link them with the large mass of the Irish people. With all respect for so valuable a class of the Queen's subjects, I desire that this prophecy or menace may be fulfilled; it will remove half our Irish difficulties, for it will not, I believe, be difficult for us to satisfy one Irish people. Our difficulty arises from having to satisfy two people in Ireland, the one being in constant hostility to the other. But I will pass by questions of worldly policy and come to a religious question which agitates many conscientious men in this Protestant country. Are we doing aught that can injure the Protestant religion in Ireland or that will arrest its progress? I do not think, and many Gentlemen opposite do not think, that it is wise or politic to maintain a religious Establishment for the sake of converting one Christian sect to the doctrines of another. Still, there are many who think we should not destroy a religious Establishment that is existing, if it is spreading the Protestant religion, and acting as a powerful auxiliary to the Protestant faith. I will ask them, has the Protestant Church

Establishment in Ireland spread the Protestant religion in Ireland, or is it likely to do so in its present condition? Look at the Irish annals. We shall read there of famine, emigration, incendiarism, midnight and midday outrage, insurrection, rebellion, civil war, but we shall find little on the subject of Protestant conversion. The reason is simple. From the spire of every church of our Protestant Establishment the Irishman sees flying the flag of the conqueror. We have invoked patriotism against Protestantism. We have blended the religious feelings which the boy derives from his mother and his priest in the nursery and the schoolroom with the political feelings which he imbibes from his father when he steps on to the platform of public life. We have made Irishism, Catholicism — Protestantism, the symbol of foreign domination. It is only when we can blend Catholics and Protestants, English and Irish, into one common body of British subjects; it is only when Ireland, as a whole, is tranquil and satisfied with our rule that we can hope to get it to lend an attentive ear to our religion. But if we are forced, for the interests I have named, to disestablish and disendow the Protestant Church in Ireland, are we thereby affecting — what we do not mean or wish to affect—the Established Church in England? I will not attempt to read the Sybil's book or predicate the future destiny of that beloved and respected institution. Safe from external enemies, it may fall a victim to internal dissensions. But this I will undertake to say, judging from all human experience, that it will not become weaker from the loss of an ally which always requires its aid and can never give it assistance. If there were any similarity in the position of the two Churches, I could understand how the fall of one would be menacing to the other. But is it so? In England we have a Church as yet, at all events, dear to the feelings of the large majority of the English people; in Ireland we have a Church opposed to the feelings of the great majority of the Irish people. In England we have a Church which it would require an army to put down; in Ireland we have a Church which it requires an army to keep up. Can any analogy be established between these two Churches, so different in their position? Do we menace the Church of England when we pull down the Church of Ireland, because it wants the especial quality which the English Church possesses? The right hon. Gentleman the Member for Buckinghamshire wasted his eloquence when he insisted upon the advantages arising from the possession of a national Church. I agree with the right hon. Gentleman that a national Church is an advantage; but we cannot have a national Church based on a national antipathy. A national Church must be the Church of the nation, and not the Church of a small section of a nation. I do not, therefore, think that this measure is attended with any of the injustice or any of the danger that has been imputed to it. But let us consider what would have been the danger and what the injustice if this measure had not been proposed, and what the danger and injustice if it were not now carried. We should have left, and we shall leave, the pressure of a heavy grievance on the mind and imagination of a large, powerful, and high-spirited population which we have undertaken to govern—a grievance the more galling because it is exceptional. We do not take our State religion to the great Presbyterian kingdom of Scotland; we do not take it to the small Catholic island of Malta; we do not carry it with us to our immense Brahmin and Mahommedan Empire in India; we have not planted it as exclusive in Australia or maintained it in Canada. Ireland is almost the only part of our immense possessions in which we expect the devotion and ignore the religion of the inhabitants. Is this no danger? Is this no injustice? I lament that Ireland is discontented; but I lament far more that she is discontented with reason, for a reasonable discontent is an unlimited peril. I have said that we are not merely dealing with the Church of Ireland, but with the whole government of Ireland. I will now say that we are not only dealing with the whole government of Ireland, but with the strength or weakness of the whole British Empire, an Empire which has millions and millions of men under its sway in every quarter of the globe. Nor are we to measure the importance of this Empire by its mere territorial magnitude. On its power and prosperity—a power and prosperity that must always be in incertitude as long as Ireland is dissatisfied—depend the colonization of desert lands, the civilization of semi-barbarous peoples, the extinction of slavery, the diffusion of commerce, the rising fortunes of a large portion of the New World, and the moral resurrection of those ancient races amidst which knowledge first dawned on the Old World. These immense interests are confided to the charge of 650 Gentlemen, who hold council within these walls. Let them, animated by patriotism, so elevate themselves as to be equal to their task! Let them look at the nations of Europe now aspiring to increase their power! There is Russia following her untiring eagles into the mountain fastnesses of Affghanistan. There is Prussia with her soldier and her scholar consolidating and extending her dominion over Southern Germany. There is Italy encircling Venice with one arm and pointing with the other to Imperial Rome. There is France with a Sovereign and a people desirous of peace, and an army which is said to be eager for war, keeping us in constant anxiety as to whether the wisdom of the one or the chivalry of the other will ultimately prevail. Has England no hopes to realize, no conquests to anticipate or achieve? Has she not before her the noblest conquest ambition can aspire to—the conquest of the hearts of a generous and unfortunate people? Shall we achieve this conquest with this measure alone? Certainly not; but we can not achieve it without this measure. We are not now expecting to satisfy, but to show that we are resolved to do all that impartial justice can demand to give ultimate satisfaction. I remember reading in distant lands a speech delivered in this House on the 17th of February, 1866, which made on me a profound impression. It called for statesmanship in the affairs of Ireland. It said what I have myself observed in various countries—that the Irish were happy and prosperous everywhere except in their native land. It adjured our rulers to inquire into and apply a remedy to the causes of this calamitous peculiarity. It prayed Heaven for a man of genius to direct our counsels. The man of genius is there (pointing to Mr. Gladstone), and the right hon. Gentleman who made the speech I have been alluding to (Mr. Bright), is sitting beside him. May we not hope that, by the union of these two eminent men, and by the co-operation of the great Liberal party behind them—at last to see commenced and carried out a compensating policy for that hitherto ill-fated land—from which patriotism should banish party—but which has been for years the battle-field of our party dissensions;—a policy which accomplishing that evening a large redress, may, by uniting boldness with wisdom, equity with energy, strengthen the weakness, heal the sores, develop the resources, and consolidate the elements of British greatness?

Mr. MOWBRAY said, the right hon. Gentleman the Member for Tamworth (Sir Henry Lytton Bulwer) had characterized the policy advocated by the right hon. Member for the University of Cambridge (Mr. Walpole) as an anachronism; but the speech of the right hon. Gentleman was a still more remarkable anachronism. He commenced by taking them back to the times of Mr. Wynn, Lord Liverpool, and Lord Grenville, and reminded them that Ireland was not what she was fifty years ago, and then he carried them back to the wars of York and Lancaster. That might be an historical digression. But then he proceeded to propound a policy which was an anachronism in itself. The right hon. Gentleman said there were two ecclesiastical policies which might be pursued with respect to Ireland—that they might pay all the religious bodies in the country, or they might pay none. The former was the policy of Mr. Pitt, which in the plenitude of his power he did not venture to carry out; it was proposed forty-five years ago by Lord Francis Egerton; it was a policy which could not be carried out by Sir Robert Peel; it found its foremost and only prominent defender in the present day in that juvenile Statesman, Earl Russell. If this was the policy of the right hon. Gentleman, it was one which he was not likely to see carried out by any union of parties. The right hon. Gentleman said it was not proposed in this Bill to violate, but to alter the Act of Union; but he afterwards used language more in accordance with a different view—namely, that a fundamental change of the Act of Union was contemplated, for he spoke of our uniting ourselves afresh with a living body, which implied that there was to be a dissolution of the existing legislative union and a re-enactment of another. To return to the question raised by the present Bill, he agreed with the right hon. Gentleman that they must meet it as Statesmen of the 19th century, dealing with all the complications of the present moment; but they must not forget the history and traditions of the past, and the state of things which had arisen out of that history and those traditions. Looking at the question as a Member of the Imperial Legislature, he could not fail to see that at no period had there not been a national recognition of religion by the Government of England. They proposed to do away with the connection which had subsisted between the Church and the State in Ireland for 700 years, and in other parts of the kingdom for a much longer period. It was quite unnecessary for him to say a word in favour of Establishments. That principle had been put before them most forcibly by his right hon. Friend the Member for Cambridge University. If it were proposed to do away with this Establishment of religion, the advantages of which had been proved, what was it proposed to set up in its place? Why, the voluntary principle; but what did we know of it? We were to subvert a state of things which we were thoroughly acquainted with, and which had lasted for centuries, and we were to set up a paper thing which in itself was a mere expression. ["No, no!"] He was aware hon. Members could point, as the Solicitor-General did last night, to the success of the voluntary principle in America, in Scotland, and in many of the British colonies. American institutions differed so widely from ours, that no conclusion could be drawn from them to guide the House. The experiment of our colonial Church government also had been too brief to be taken as a sure guide. Besides this, such was the diversity of the ecclesiastical arrangements existing in our colonies, that no principle either for or against Establishment could be traced in their constitution. In India Bishops were appointed under an Act of Parliament, and paid for out of the revenue of India. In our West Indian colonies again Parliament had sanctioned the erection of bishoprics, and charged the expenses of the Establishment on the Consolidated Fund. For the instances of the voluntary principle we had to go to Australia, Tasmania, New Zealand, and some other places which had been mentioned. But in all these places these Churches had been but recently founded by the Crown; their Bishops had been nominated by the Crown after conference with the prelates of the English Church; they formed the very flower of the clergy, and the real test of the efficiency of the constitution of these Churches would come when the present generation of Bishops had died out, and new Bishops to fill their places had to be chosen on the spot. Great stress had been laid on the efficiency of the Canadian Church, and in answer to the argument based upon it the right hon. and learned Member for the Dublin University (Dr. Ball) had brought forward an article in *Macmillan*, testifying to the present condition of that Church. The account *Macmillan* gave of the Canadian Church was certainly not re-assuring, but later and more unanswerable testimony was forthcoming. The Prime Minister had paid a high tribute to the late Bishop of Montreal, whose death had fallen as a great blow on the Canadian Church; but his death was not only a loss in itself, it had resulted in what was at present a breakdown of the colonial system; the Canadian Church had actually come to a dead-lock because the Synod had been unable to agree on the election of a successor. The Bishop died in the course of the summer: the Synod was held in November last, and was unable to come to an agreement; it had been adjourned until May next, and at present the Primacy of the Canadian Church was void, The Church presented the spectacle of a province without a Metropolitan, and a see without its Bishop. Was this what the Prime Minister promised us for Ireland? Last night they were referred to the voluntary system as it was in Scotland; but, in a letter published by the hon. Member for Rochdale (Mr. T. B. Potter), sufficient reason appeared to show that the state of the voluntary Church in Scotland was one which could not be quoted in support of the present Bill. They had been told that the voluntary system was no novelty, and that it was at work in Ireland. But they could not call the Church of Rome a purely voluntary system. As Lord Macaulay had said, it combined all the pomp of a dominant hierarchy above with all the energy of the voluntary system below. It had some of the characteristics of a voluntary system—an ill-paid and uneducated priesthood and humble chapels, or, as some had described them, shabby hovels. That formed one side of the Romish Church; the other was made up of a Prelate, a Cardinal, and a Prince of the Church, encompassed with all the pomp of a dominant hierarchy which organized its operations under the direction of the Pope himself, a temporal Sovereign, and, therefore, falling back upon a State as well as on a Church. Now, any change of the present system of governing the English Church in Ireland would be followed by results all its well-wishers would deplore. It would no longer be a national Church, but a congregational Church, the evils of which had been well described by the hon. and learned Member for the Dublin University. Then as to the second part of the measure—disendowment. Both this and the proposal to disestablish were quite unprecedented, because the two precedents which had been set forth were inadequate. The case of Jamaica did not apply; the payment made to that Church was out of the National Exchequer, and was never designed to extend beyond a few years. The precedent of Canada, which had been dwelt on at considerable length by the hon. and learned Member for Richmond (Sir Roundell Palmer), was also inapplicable; the case of Canada was that of a partial disendowment, done by the Colonial, not by the Imperial Legislature. And the Act of the Colonial Parliament related to the clergy reserves lands of comparatively small value, in outlying districts, and yielding but little immediate income to their owners. Besides, the amount dealt with was smaller. The House was asked to take £16,000,000 from the Irish Church; but £275,000 was an outside estimate of the Canada Reserve Fund. The Canadian Church had not enjoyed its property for more than sixty years, and had been informed as far back as 1828 that it must not reckon for its reserves being permanently secured to it. Again, the right hon. Gentleman proposed to deal suddenly with the property of the Irish Church. He proposed to commence in January, 1871; but in Canada many years elapsed after the passing of the Act before the new arrangement came into force, and in the interval the Church was able to reorganize itself and become a corporate body. The right hon. Gentleman the Member for Tamworth (Sir Henry Lytton Bulwer) had said that he did not come there to discuss the details of the Bill, and he added frankly that he did not adopt all of them. Well, it was quite possible that there might be some of the details to which the House would not be disposed to agree. He would say a word, however, as to one or two of those details, which illustrated very clearly the spirit in which the Bill was drawn up, and the different manner with which the Government proposed to deal with the Established Church of Ireland as compared with other denominations. Now, with regard to Maynooth. This College owed a debt of £20,000 for its buildings, and that debt was wholly remitted. The glebe houses of the clergy, on the other hand, had a debt of £232,000 on them, every shilling of which was to be paid back. Disendowment might commence to-morrow; he believed, indeed, it had already commenced, because, from a question that had been asked the other day, it appeared that the moment a Bishop, dean, or parochial incumbent in the Church of Ireland died, his place was not to be filled up, except in a temporary way, until the 1st of January, 1871. No new vested interests, therefore, could be acquired. The right hon. Gentleman at the head of the Government said that Maynooth in getting fourteen years' compensation, would have somewhat about an average amount between the various compensations awarded to the Church; but he (Mr. Mowbray) contended that Maynooth got sixteen years' compensation, for the payment would date from the 1st of January, 1871, before the arrival of which period, therefore, nearly two years would elapse. During those two years Maynooth would receive £26,000 a year, and, therefore, £52,000 should be added to the amount of her compensation. But there was a still stronger point. Why had the right hon. Gentleman fixed on fourteen years' purchase as the proper amount of compensation to Maynooth? The endowment of Maynooth was divided into two portions—one a sum of £6,000 for the salaries of president, vice-president, and professors; the other a sum of £20,360 for the students. Now, the course of a student in Maynooth was eight years, and assuming that an equal proportion of students left every year, the sum to be paid would be gradually reduced until the last year it would be only £2,545, instead of £20,360. The total, therefore, for students at the end of the eight years' course would be £91,620, and if that were added to fourteen years' compensation for the professors, the entire sum to be given to the College would be £175,000, instead of £441,000, as proposed by the right hon. Gentleman. He would not trouble the House much about the application of the surplus. They had had a little discussion as to whom the origin of the Bill was due, and his noble Friend (Lord Claud Hamilton) last night said that the right hon. Gentleman the President of the Board of Trade (Mr. Bright) was the author. But he thought they might go back much further, and refer the origin of the Bill to Mr. O'Connell. As far back as 1834 Mr. O'Connell proposed that tithes should be abolished, and that the fund should be applied "in various counties of Ireland to relieve the occupiers of land from grand jury cess."

> "My plan," said Mr. O'Connell, "is to defray all the expenses of dispensaries, infirmaries, hospitals, and asylums, and to multiply the number of these institutions until they become quite sufficient for the wants of the sick."

Well, then, he would say, honour to him to whom honour was due, and that was in this case, not the right hon. Gentleman the Prime Minister, but Daniel O'Connell, the great Liberator of Ireland. But the right hon. Gentleman had plagiarized from another source also. They had heard from the hon. Member for South-west Lancashire (Mr. Cross) quotations from the speeches of the right hon. Gentleman, and it appears that he said that it was his special vocation to hew down the deadly tree of noxious growth; but in those words he seemed to follow out the idea of the Chancellor of the Exchequer, who, speaking of the Irish Church last year, said—"Cut it down; why cumbereth it the ground?" But he found the right hon. Gentleman's metaphor was borrowed from a prelate of the Roman Catholic Church, Dr. M'Hale, who, in 1833, had said—

> "It is a consolation to reflect that the legislative axe is laid at last at the root of the Establishment. The ten overshadowing plants which spread their narcotic and poisonous influence all round them have been laid low."

The right hon. Gentleman then appeared to have been indebted for his policy to Mr. O'Connell and for his rhetoric to Dr. M'Hale. The Solicitor General had said last night that this Establishment in Ireland was such that if it did not exist no Statesman would be prepared to set it up. But that was not the question. The question was—were we prepared to do away with the Church in the mode proposed in this Bill? He was sorry that the First Lord of the Treasury should have quitted the House, because he wished to call his attention to a passage from an eminent Statesman, a great authority in the Whig party—Lord Macaulay—who was known to have held strong opinions about the Irish Church. Lord Macaulay said—

> "A statesman, judging on our principles, would pronounce without hesitation that such a Church never ought to have been set up. Further than this we will not venture to speak for him. He would doubtless remember that the world is full of institutions which, though they never ought to have been set up, yet having been set up ought not to be rudely pulled down, and that it is often wise in practice to be content with the mitigation of an abuse, which, looking at it in the abstract, we might feel impatient to destroy."

They might infer from that that had Lord Macaulay been now alive he would not be prepared to deal with the Irish Church in the way of total disestablishment and disendowment, as proposed in the Bill now before the House. He did not wish to trouble the House at any further length. He found in Ireland a Church which for 700 years had been connected with the State. It might be said that a change had occurred at the time of the Reformation; but he contended that the Irish Church was entitled to be viewed as the representative of the ancient Irish Church that was there before the time of Henry II. They would find an alliance between the Church and State in Ireland which, he believed, had been beneficial to the State, and not detrimental to the Church. They would find that for 300 years this Protestant Church had been connected with the Protestant institutions of the country. A national recognition of religion had been part and parcel of the Constitution of this country all the time the English monarchy had existed. Parliament met to consult on weighty affairs concerning the Church and the nation. The Sovereign, by the Act of Settlement, was obliged to profess the Protestant religion, and by the Coronation Oath was bound to profess a particular form of it. The national Establishments in the three countries, though there might be a difference in England, Ireland, and Scotland, were all equally Protestant; and speaking then as a Member of the British Legislature, viewing this as an Imperial question, and looking back to our past history and past traditions, he thought that they ought not to depart from principles under which this Empire had hitherto flourished, and under which he ventured to hope it would continue to flourish.

MR. AGAR-ELLIS said, that, as an Irishman and a Churchman, he had long thought that the person most aggrieved by the Church of Ireland as it now existed was an Irish Churchman. As was confessed on all sides, the Establishment was a scandal, and on whom did the scandal recoil if not on the Churchman himself? Suppose a man had inherited what in times past might or might not have been a proper compensation for services rendered, and those services could be rendered no longer, what would be the course which any high-minded man would take? Would it not be to give up the sinecure? Well, that he thought was an apt illustration of the position which the Irish Church occupied. One thing which struck him most painfully in this debate was that the most stalwart defender of the Irish Church —he who had made the most magnificent oration in its behalf, the right hon. Gentleman the Member for the University of Dublin (Dr. Ball)—and the hon. and learned Member for Richmond (Sir Roundell Palmer) had both made an *ad misericordiam* appeal, on the ground that the Irish Church could not exist unless it was supported by the State. His view of Protestantism in Ireland was that it could safely walk alone if left to itself, and he had no doubt that when the connection with the State was dissolved, it would walk alone, and with a surer footing than it had heretofore. This measure being virtually as good as passed, he was anxious that English Members should not expect too much from it. The immediate good accruing from it might indeed be said to have been already discounted, for it had already produced a good effect in Ireland. ["Oh!"] He believed he represented one of the most Roman Catholic constituencies in the United Kingdom (Kilkenny), and that he spoke with some knowledge of the facts when he asserted that this measure had already produced much good in Ireland. But he warned them that they must not look for further immediate good. That great advantages would eventually follow the passing of the measure he had not the smallest doubt; but they must not be disheartened if they did not see everything looking quite as rosy as they would wish. The first good he anticipated from the Bill was the stoppage of the trade of the political agitator. Discontent and disaffection could not go side by side with even-handed justice. Ireland would be convinced that England was no longer deaf to her entreaties when she had really a tangible cause of complaint. The hands of the Executive would be so strengthened by the enactment of this measure, that that horrible system of government which had for centuries existed, the system of party or class government, would be extinguished for ever, and the Executive whilst being just, would be also perfectly equitable. With reference to the provisions of the Bill, he confessed under other circumstances he should be glad to see the amount of the composition proposed for the *Regium Donum* and the Maynooth Grant doubled. At the same time, after having been distinctly told by the leading Members of the Government that none of the money taken from the Established Church in Ireland should be applied to any other Church, he had a strong objection to the proposed arrangement. They had been further told that any surplus remaining would be devoted to Irish purposes exclusively. But according to the proposed scheme, the Consolidated Fund would be relieved of a considerable charge, an arrangement which would confer the greatest benefit upon the people of England and Scotland. He was prepared to vote for anything in reason in order to secure the passing of this Bill; but this part of the measure was a blot upon it, which in his opinion greatly weakened its value. The object being to remove every cause of vexation and discontent, it would surely be better to get rid of the tithe rent-charge at once, for how many of the present generation would be living forty-five years hence? It was true there was power of redemption at twenty-two-and a-half years' purchase, but this was not quite 4½ per cent, and very few persons would be able to find the money all at once. It should be made possible for a landowner, and even for the holder of a life interest, to borrow the required sum on the security of his estate. On the whole he viewed the measure as one that would confer lasting benefits on both countries; that would fill the minds of the people of Ireland with hope and loyalty; that would remove what had hitherto been a source of danger and of weakness to this country, and establish in its stead an element of Imperial power and strength by the cordial union of the people of Great Britain and Ireland.

MR. CHARLES DALRYMPLE remarked that no Scotch Member had yet taken part in the debate, though, so far from Scotland taking no interest in the question, it had been said, with truth, that the elections turned upon it, so much so, indeed, that one would have thought that the elections had been occasioned by the Irish Church question, and not as was really the case, by the late Reform Bill. If the representatives of Scotland, seven-eighths of whom sat on the Ministerial side, should consider it their duty to continue silent, it would be an interesting study for them during the holidays to determine how far they should feel themselves justified in giving their consent to the details of a Bill, the main principle of which they had shown themselves so eager to support. Their demeanour during the present debate, at all events, appeared to be inconsistent with the declarations which they had constantly made previous to the General Election. The affirmation of the principle of disestabment—a stage which the friends and the enemies of the Irish Church must alike have anticipated — was nearly reached, and he had never doubted that hon. Members opposite would be united on this matter, most of them having been returned for the express purpose, and having, as it were, given a blank acceptance, which the Prime Minister could fill up for any amount he thought fit. The Members on his (Mr. Dalrymple's) side of the House had not been backward in declaring their fundamental objections to the principle of the measure under consideration and, however the subject might be overlaid by idle discussions connected with Established Churches generally, they must remember it was the existence of the Protestant Church in Ireland that was the immediate question before them, and nothing else. The disestablishment of the Irish Church he took to be as certain as anything that could be reasonably predicted. He rejoiced at the opportunity given them of recording their votes against the principle; but before doing so he claimed the right of making a few observations upon some of the features of the Bill. The proposed arrangement respecting the establishment of a Church Body was some evidence of that feeling of tenderness with which they were told they would be treated. He only wished that this body had more property than it was likely to have to dispose of. It appeared to him to be doubtful whether it would have any property to hold. He should have also desired to see a much larger sum paid to the Church itself. A great deal had been said about the proposition to preserve the life interests of incumbents. That was no more than a simple act of justice, for which he did not think any thanks were due to the Government. It appeared that Bishops, incumbents, and others connected with the Church were to be continued in the enjoyment of their life interests, or a sum equal in amount to the value of their livings was to be paid to the Church Body, from which they would receive their incomes, and even this small advantage ceased with the lives of the present incumbents. Now, he regretted that a larger jointure was not to be paid to the widowed Church, such as would have given it an element of certainty and permanence. A letter appeared in *The Times* of September 10, 1868, which he thought was full of wisdom. It bore the signature of "Rusticus." The writer said—

> "If individual incumbents, curates, &c., are simply continued for their lives in the possession of existing emoluments, it is obvious that out of two or three contiguous parishes there may be one in which the Protestant Episcopalian worship will have ceased for thirty or fifty years before its discontinuance in another, and consequently there will be no one moment at which the strength of the whole communion is put forth in the work of sustentation or of re-endowment, but a ragged edge—so to say—will be left for half-a-century, while the old is passing out and the new coming in. In this respect the Irish Church will stand at an incalculable disadvantage in comparison with the Free Church, for example, or even the Episcopalian Church in Scotland. This paying off—in this form—of existing interests will be the severest blow of all to the expiring Establishment. Something seems to be due to a prescription of three centuries; something even to the communion of which we are acquiescing in the disestab-

> lishment. . . . But at last, after all such preliminaries are adjusted, let the Imperial Exchequer pay over to the Church corporation of Ireland the capital sum, the £4,000,000, or £5,000,000, or £6,000,000 agreed upon; let the Church, not the State, pay out of the annual proceeds the incomes—with such deductions as self-denial and public spirit may suggest—of surviving holders; and, as lives drop, provide for the continuance of Church pastors—in such number and on such terms as may be needful—in cures vacated; while the State re-pays itself for its outlay by receiving in perpetuity the various items of the present ecclesiastical revenue, in the nature of interest upon the capital sum by which it has purchased a final immunity from the burden of an Establishment which has failed, through fault or misfortune, to become, in deed as in name, the Church of the Irish people."

He greatly desiderated some such plan as that, and it seemed to him that something was due not only to the interests of incumbents and to the fag ends of a lifetime, but to the interests arising out of the communion of the Church itself during a tenure of 300 years. The President of the Board of Trade, in his eloquent speech on Friday, gave the weight of his authority to a comparison for which there was no foundation. There was no analogy whatever between the case of the Disestablished Church of Ireland as it was to be and the Free Church of Scotland. Surely, in proof of that it was enough to say that in the one case they had a free agent and in the other they had not? And, more than that, what were the facts with respect to the Free Church of Scotland? It was true the ministers and people of that Church left the Establishment for the sake of principle, leaving behind churches, glebes and manses, but much of the wealth of the country went forth with the members of the Free Church; and they did not go forth in the presence of a great hostile Church, but they settled down side by side with the Established Church. Moreover, the Established Church always remained, so that if the Free Church had failed—which it had not—there was still a guarantee left for the maintenance of the services of the Church for the people. The nation, in fact divided itself into two Churches, and the satisfaction which the late Lord Aberdeen was said to have felt at that spectacle after a time was, he believed, owing to the fact that every instrumentality for good in Scotland had been been doubled. More than that, the movement of the Free Church had all the impetus given to it which sacrifice imparted to any such movement — an impetus which was something very different from the mere instinct of self-preservation or the courage and resolution of individuals. What was the case, on the other hand, of the Irish Church? Was she going forth to vindicate any principle and with no diminished wealth? Was she not to be confronted by a hostile communion, ready to seize every advantage while she was struggling to recover her equilibrium after the heavy blow dealt against her? Was there any impetus from sacrifice? Why the Irish Church herself was the sacrifice in that case, and the right hon. Gentleman at the head of the Government was the officiating priest at that sacrifice. For himself, he looked upon the arrangements of the measure in regard to the Church as very inadequate, and he asked whether justice was being meted out to all alike? The fourteen years' purchase of income to be given in the case of Maynooth, as compared with the inadequate provision to be made for the Church—which, it must be remembered, they were casting down from its position as an Establishment—did not appear to him to be a very equal and even-handed arrangement. However, he might have been content that Maynooth should go forth free from State control and with her capitalized income; but he could not help noticing the extraordinary difference between the proposed arrangement in regard to Maynooth and the view put forward in Scotland last autumn by the exponents of the Liberal policy. Maynooth had been a sore subject in Scotland; seats in that House had been lost there on account of it; and the crucial test of Scotch Members had long been whether or not they had gone into the same Division Lobby with the late Mr. Spooner upon it. Last autumn the exponents of Liberalism in Scotland came forward, not only as the friends of oppressed Ireland, but they declared that they were going to withdraw the Maynooth Grant; and in one case, when the question was asked how, if they were such great Protestants as they professed to be, they were about to deal such a severe blow to Protestantism in Ireland? the reply given was that "Providence had so ordered that, through the disestablishment of the Irish Church, the grant to Maynooth might be abolished." The result of the elections in Scotland was due, he believed to that delusion more than to anything else. He had not made these remarks out of any feeling of jealousy towards the Roman Catholics of Ireland, but only when he remembered the political capital that was made in Scotland last year out of this fancied withdrawal of the Maynooth Grant, he wanted to know the meaning of the Maynooth surplus. With respect to the proposed application of the surplus revenues of the Church to the relief of suffering, that was essentially a question for Committee. It had been said lately, with truth, that the right hon. Gentleman the President of the Board of Trade could "delineate a picture of suffering and sorrow with marvellous vividness and truth," and any one who heard his speech of Friday last would confirm the statement. If they were dealing with abstract matters no one would differ from the right hon. Gentleman; but this was a practical matter, and he would then only say that, looking at the vast amount of that surplus, looking at the object on which they were to bestow it—an object already provided for, although inadequately, by law—and looking also at the inadequacy of their arrangements for the benefit of the Church, he did not believe the House of Commons would consent to such a fantastic application of so enormous a sum. In his *Chapter of Autobiography* the Prime Minister, speaking of the Irish Church, said—

> "Such an Establishment will do well, for its own sake and for the sake of its creed, to divest itself as soon as may be of gauds and trappings, and to commence a new career in which, renouncing at once the credit and the discredit of the civil sanction, it shall seek its strength from within, and put a fearless trust in the message which it bears."

Some of those of his own generation who had been brought up as willing learners in the right hon. Gentleman's earlier school on Church and State would naturally require some time before they could see how the connection between the Church and State could be compared to "gauds and trappings," or how the Church could receive any "discredit" from the "civil sanction." The language addressed by the right hon. Gentleman to the Church reminded him of the words of the American poet—

> "Console, if you will,—I can bear it;
> 'Tis a well meant alms of breath;
> But not all the preaching since Adam
> Has made death other than death."

He felt firmly convinced that the Church would "seek its strength within;" and he did not doubt in the least the power of "the message which she bears;" but if the Church survived the sorry plight in which the right hon. Gentleman proposed to place it, it would not have to thank the right hon. Gentleman for that fact. It would owe it to what a distinguished writer — the Dean of Westminster—had pointed to recently, when he spoke of that which—

> "In spite of all her shortcomings, taking her at her best and not at her worst, was the free, magnanimous, and Imperial spirit of what had been for 700 years, the United Church of England and Ireland."

Mr. MILLER said, he fully agreed with the hon. Member for Bute (Mr. C. Dalrymple) that, at the last elections in Scotland, the great question of the day was the Irish Church; but the hon. Gentleman should bear in mind that the result of the agitation was that, out of the sixty Members returned for Scotland, no fewer than fifty-three had been sent to the House of Commons to support the Bill now under consideration. They did this simply as an act of justice to the sister country. In giving his support to the measure he was influenced by no desire either to exalt the Roman Catholic Church, or to depress the Protestant Episcopalian Church in Ireland. He wished to see both of them placed in the proper position to carry on the work which they had to do. As much had been said of the Church to which he had the privilege of belonging—the Free Church of Scotland—he wished to bring the state of that Church under the notice of the House, with the view of calming the alarm felt by hon. Members opposite as to what would occur in the event of the Irish Church being disestablished. The hon. Gentleman the Member for Mid-Surrey (Mr. Brodrick), asked the other night how the poor Irish along the coasts of the Atlantic were to be instructed if the Irish Church were disestablished and disendowed. Now, he (Mr. Miller) would point to the case of the Free Church of Scotland as affording an answer to that question, although he might content himself with saying that it would be taken care of if the Protestants of Ireland had faith in their religion. Was it not the case that the wealth of Ireland was to a large extent in the hands of the members of the Irish

Church? It was true that they had not been much educated in habits of giving, but he had no doubt they would very soon learn that part of their duty. The hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer) stated that the members of the Free Church went forth voluntarily, and that in that respect there was a difference between the cases of the two countries. The secession from the Established Church was not a voluntary act, except that sort of voluntaryism which would induce a man to jump overboard to prevent himself being shot; the secession involved a principle dearer than life. Those who went forth could only have remained on condition of submitting to an interference in the discipline of the Church to which they could not give their assent, and they were therefore compelled to secede. What was the case in Scotland twenty-six years ago? At that time a body of clergymen walked out of the Established Church, to the number of about half the parishes of that country—namely, from 460 to 470—that body formed the Free Church, and it now numbered something like 930 churches, some of which were situate in the remotest parts of Scotland, where the poorest people were amply supplied with religious teaching, and also with secular education. They were supported by the middle and lower classes, for they had not with them the landowners—they belonged chiefly to the Established or the Episcopalian Church. The strength of the Free Church lay lower down. The whole country now, from one end of it to the other, was occupied by the Free Church. Before a church was planted in a district, the question was not whether the people there would be able to pay enough to support it, but whether there was a population in need of instruction. He wished to draw the attention of hon. Gentlemen, members of the Irish Church, that in Scotland they had formed, in connection with the Free Church, a Sustentation Fund, from which every minister connected with it in every part of the country was paid a minimum sum of £150, exclusive of his manse and garden. Some ministers received as much as £600 or £700, but the lowest stipend was £150. The average sum paid last year, and derived from voluntary contributions, was £225, and he hoped it would be considerably increased this year. There had, of course, twenty-six years ago, been prophets of evil in Scotland, as there are prophets in England and Ireland now; but their prophecies had entirely failed. The people had not only supported the Free Church from the starting point, but the number of churches and the amounts of stipends had gone on increasing, and it was found that as the one increased the other increased also. It would not, he believed, be very long until the Established Church would lose itself in the number of churches which were springing up around it, belonging to the Free Church and to the United Presbyterians. These two great bodies occupied churches to the number of about 1,500, while the parishes of the Established Church were but 920 to 930. The Free Church did not confine its work to Scotland—missionary work is by it carried on successfully in India and in other parts of the world. Besides all this they had about 600 schools maintained in the same way, supplying education in the Highlands and elsewhere, to the people who had no other means of obtaining it. He would suggest to hon. Gentlemen from Ireland that, instead of making a great to do about the disestablishment and disendowment of the Irish Church, they should have faith in their religion, and in the strength of Protestantism, and accept the position. If in a true spirit they buckled on their armour and fought against everthing which was opposed to Christianity, he had no doubt they would do a great work well and successfully. They had the upper classes with them, unlike the Free Church of Scotland, and surely they would be able to furnish all that is necessary for supporting their Church. The Scottish people looked upon the proposal of the Government as a matter of justice to the people of Ireland, and not as a matter which would injure a Protestant Church. They could not forget the struggle which Scotland had to engage in to throw off an alien religion attempted to be thrown upon them, but which they did throw off—not, however, by peaceful means, such as that in which we are now engaged—it was a struggle of war to the knife, and under cruelties of an extraordinary kind. Looking back upon that, the Scotch people have a desire to see the Irish people in the same position as they are themselves—free to carry on their religious work in the way that shall best benefit those who are engaged in it.

MR. W. VERNER said, he rose, on the part of the Protestants of Ireland, and of Ulster in particular, to enter his protest against this Bill for two reasons: first, because it aimed a blow against religion; and, second, because it was absolutely and unqualifiedly founded on wrong and robbery. He did not mean to say that this Bill would legalize infidelity: but he believed it did offer an indirect sanction to it, for, as he believed it had been said in that House, the Devil was supported by voluntary contributions; and, by a large class of Her Majesty's subjects, the administrators of the law and the landlords of Ireland were supposed to be under his especial keeping. He might illustrate this by the instance of a farmer in his (Mr. Verner's) county, who had been prosecuted by his landlord, and who informed the sub-sheriff, in strict confidence, that he believed if the Devil did not take his landlord there was no use in having a Devil at all. As one who had lived in Ireland for the greater part of his life, who had mixed freely with its inhabitants, who had superintended the management of property that was leased to tenants of all denominations, he was perhaps entitled to think that he knew something of the peculiarities of Ireland and its people; but to his surprise he found that he knew nothing of the matter, and that his education must commence afresh under the teaching of the Prime Minister and his Colleagues, assisted by the perusal of a work written by a foreign Roman Catholic. He had listened to various lectures—first, on nicety of speech and Conservative presumption in quoting the somewhat unsavoury epithets applied to his Church; second, on the charge of obstinacy and hardness of heart and head applied to them by a Gentleman who ought to be a good judge, for he was an Irishman himself; and third, on the bigotry and perversity of his Protestant ancestors, upon whose shoulders—so the House had been told—rested all the cruelties and injustices ever perpetrated in Ireland. He had entered the House prepared to listen with great attention to the arguments urged by the old and practised debaters there, and though nothing would induce him to betray the trust which his constituents had reposed in him, still if he were convinced that opinions he formerly held were wrong, he would have resigned his seat rather than record a vote which his conscience did not ratify. He had heard it stated by the President of the Board of Trade that all the talents, the eloquence, and the research of our greatest orators here were simply declamatory, and that party alone must govern the votes of Members of this House. He could well understand why he saw such satisfied smiles exchanged among the occupants of the Treasury Bench. The hon. Member for Kilkenny (Mr. Agar-Ellis) had just told them that Ireland had become more prosperous, more contented, and more happy since this Bill was introduced than she ever was before. Good gracious! Did the hon. Gentleman read the newspapers? Had he taken account of the Fenian meetings which had been held since the prisoners had been let loose? Had he seen the treasonable speeches these men had made, and the firm determination they expressed to go on troubling the peace of the country as long as they lived? The right hon. Gentleman the President of the Board of Trade had been to Ireland, and though his reception there was not very cordial, or such as induced him to prolong his stay, yet he came back more convinced than ever that all the evils of Ireland were to be attributed to the Protestant Church and the Protestant proprietors, and that both ought to be destroyed. But if the right hon. Gentleman had studied the Census of 1861 with respect to Ireland, he would hardly have advocated the voluntary system in that House so warmly as he had done. In 1861 the population of Ireland was 5,798,000, of whom the members of the Church of England were 693,000, the Roman Catholics 4,505,000, the Presbyterians 523,000, the Methodists 45,000, the Independents 4,500, the Baptists 4,300, the Quakers 3,600, and there were 15,600 belonging to 112 other sects. The two bodies, the Independents and the Baptists, were those usually known in England as Dissenters, and they had had everywhere agencies in Ireland for the last twenty years; but the result of the voluntary system in their case was, when counted, the great sum of 8,800. Among the members of the Church of England he found there was 16 per cent who could neither read nor write, while among the Roman Catholics 45 per cent could neither read nor write; and of those who could, he would like to know how many owed their education to the kindness of the Protestant landlords living in the country, and who, without interfering with their religious creed, gave them the best education in their power. He had heard much said of the change of opinion in the rival Leaders, and the inconsistency of statements made by them at different times; but there was this difference between them. The right hon. Gentleman the Member for Buckinghamshire, in calm and temperate language, stated his convictions as the result of careful study and deliberation. The Prime Minister, on the other hand, had no words strong enough to revile and vilify the Church of which, to his (Mr. Verner's) surprise, he still professed himself an attached member. When that right hon. Gentleman urged his followers to

> "The lawless siege, whose best success was sacrilege,"

by comparing the Church to a upas tree of noxious growth, which spread blight and desolation around—when he spoke of her as a monster of iniquity which must be levelled with the ground, he felt inclined to say to the right hon. Gentleman, in the language of the immortal bard quoted on the first reading of this Bill—

> "Fie, fie, unreverend tongue! to call her bad,
> Whose sovereignty so oft thou hast preferred
> With twenty thousand soul-confirming oaths."

and he would ask whether an Assembly of Gentlemen, distinguished for their intelligence and independence, could be expected to follow the right hon. Gentleman in every change of principle as well as policy? No doubt there were earnest Protestants among those who walked in the Prime Minister's apparently triumphal procession; but he could only compare the car in which the right hon. Gentleman rode to the car of Juggernaut, which served to immolate the victims of their own credulity, and left nothing but ruin and devastation in its wake. He had heard a great deal said about the ill-will with which the Protestant Church and the Protestant clergy were regarded in Ireland. But it always struck him as extraordinary if the Church were regarded with so much dislike that they found the Protestant ministers living in remote and isolated parts of the country surrounded by Roman Catholics, and yet, as far as he knew, there was not a single case in which one of them had been made the subject of agrarian outrage. Adventurers whose trade of throat-cutting was terminated by the cessation of the American War, and who were too much accustomed to live by violence and rapine to settle down to any steady and useful pursuit, came over to Ireland and instituted a raid in that country, with nothing to lose and everything to gain. These were the authors of the Fenian movement, which was coquetted with by the Roman Catholic priesthood to further their own ends, until they found that it was getting too strong for them, and was assuming a character of independence from priestly control. But even when the priests did repudiate the movement, they did so in cautious terms. The Pope, it was true, also denounced it, as he had done Freemasonry and Ribbonism, but it was merely as secret societies. But how often had they found the execution of a sanguinary decree following on altar denunciation? He positively denied on the part of the Protestants that they hated the Roman Catholics. They detested Fenians and priestly agitators, to whom the term upas tree might be more fitly applied than to the gentle curates of his own creed, who openly practiced those doctrines of forbearance and charity which they preached in the pulpit. He did not deny that there were bigots in every creed, just as there were dishonourable people on railway Boards; but it would be as unjust to condemn the many for the faults of the few as it would be to condemn all railway Boards because a few directors had broken the eleventh commandment. Seriously speaking, he believed that Irishmen would live together as amicably as it was possible for Irishmen to do if they were only left alone by those interested demagogues who lived by exciting the cupidity of the people and ministering to their worst passions. A great deal had been said about Irish pugnacity, but Englishmen were not aware of the extent to which it was carried. Anyone who had witnessed the faction fights in the West of Ireland must be aware all were of the same way of thinking, and nothing was said about them, because it was impossible to dignify them with the name of Orange riots. No funeral could take place without a certain amount of broken heads, and even the cats devoured each other in a peculiar manner. A gentleman who had lately written a work on Ireland detailed a conversation which had taken place between two farmers, one of whom said to the other—"When all the Protestants and landlords are driven out of the country, how we shall fight among each other?" The object of his observations was to show that although the Government might play the Ultramontane part of disestablishing the Church of Ireland, they would not succeed thereby in inspiring the Irish peasantry with any feeling of order, loyalty, and respect for the laws. They were only swayed by their own passions and interests. The difference between the native Irishman and the Saxon was this—that Irishmen always allowed their interests to be injured by giving way to their passions, whilst the others always made their passions subordinate to their interests. If this proposition was allowed, it would be at once seen why all attempts to establish law and order in Ireland had failed. The fact was that the issue of this struggle was between Protestants, and Popery in Ireland. It must be so, because the Roman Catholic religion was essentially an aggressive one, and could not bear the existence of a rival Church. Archbishop Manning and the Roman Catholic Prelates told them so, and more—that if they had the power they would not tolerate the principles of civil and religious liberty for which they were now clamouring. The Penal Laws had been alluded to, but he believed they were only referred to for the sake of political capital, as they had long since been repealed, and were repudiated by both sides of the House. Those laws, however, were enacted, not so much against Roman Catholics as against traitors, and no laws of the kind were passed in consequence of that most atrocious conspiracy the Gunpowder Plot. No hon. Gentleman on that side of the House approved more of the Penal Laws than Roman Catholic Members on the other side would justify the infamous act of the infamous Pope who blessed the infamous massacre of St. Bartholomew, and had a medal struck to commemorate the event. He did not blame Roman Catholics for wishing to see what they considered truth exalted in the place of error; but he did blame Protestants—he did not wish to say anything disrespectful—who were fools enough to assist them in passing a measure for their own destruction. If justice demanded the repeal of all the Acts against the Roman Catholics, how were they to deal with the Act of Settlement? Could they suppose that the time would come when a Minister of the Crown would propose to substitute the authority of the Pope for the gracious title by which the Queen now ruled the country, and that was by the grace of God. He regarded the Constitution as the natural safeguard both for the Crown and the people. If one part was destroyed, what was to prevent the whole edifice from tumbling about their ears. They were the guardians of the Constitution, and all parties in the House would agree with him in saying that rash experiments ought not to be attempted, because those experiments were irrevocable, and if they did not turn out as they were expected to do their steps could not be retraced. There was an experiment that would find favour on both sides of the House, and test the loyalty of Ireland to the core. Let them abolish the senseless pageant of the Lord Lieutenancy, and send over a Royal Prince to maintain royally his Royal mother's state. The aristocracy of the land would rally round him, the country would flock to do him honour, the fire would burn again on many a deserted hearth, the sun would shine again through windows which had long been barred, and the sound of mirth and hospitality would rise from halls long deserted; the money taken out of the country would be returned to it, some of the wrinkles would disappear from the brow of Ireland, and the smile of prosperity, with its natural concomitant, contentment, would illumine once more the national face. Then they might safely try the experiment of a general amnesty, in the hope and belief that the good sense of the nation would back the law in proclaiming as traitors to the commonwealth all those who should attempt to disturb its peace.

THE O'DONOGHUE said, the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) who opened that debate, seemed to him to argue in favour of the necessity of an Established Church in a country where there was unity of religious faith, and, so far as his observations had no reference to the subject now before the House, he (The O'Donoghue) could have no part in dealing with a great deal of what the right hon. Gentleman said. The right hon. Gentleman appeared to him to forget that what he had to defend was the existence of an Established Church in a country where the majority of the people were all of one religion and the Established Church professed another. But what took him by surprise in the speech of the right hon. Gentleman was his quoting Mr. J. Stuart Mill as an advocate for the maintenance of the Established Church; and as Mr. Mill's name had been mentioned, he would take the opportunity of saying how greatly he deplored his absence from that House, and when the news that he had lost the Westminster election reached the part of the country where he resided he felt as if a national calamity had fallen upon the land. The right hon. Gentleman had given the House an erroneous view of the views of Mr. Mill. He quoted from Mr. Mill's pamphlet—

> "An alien Church indeed remains, but is no longer supported by a levy from the Catholic tillers of the soil, but has become a charge upon the land, and is paid mostly by the Protestant landlords"—

And here he (The O'Donoghue) would venture to remark that that seemed to him to be very much the same thing—

> "The confiscations had not been reversed, but owing to the time that had passed over them they have reached a stage in which in the minds of reasonable men the removal of injustice would be itself an injustice."

What he (The O'Donoghue) understood by that was that it would be an injustice to give back the revenues of the Church to the Roman Catholics. Mr. Mill considered the land question to be the chief of Irish questions, and at the conclusion of his pamphlet, talking of the land question, he said—

> "Let no one suppose that while this question remained as it was the sum of all other things that could be done for Ireland would at all alleviate her condition, although an abundance of other things require to be done. Not only are religious endowments to be resumed, but their proceeds to be applied in the most effectual way possible to Irish improvements."

Nothing could be more unreasonable than that the right hon. Gentleman the Member for Buckinghamshire should complain of the policy of Her Majesty's Government. The right hon. Gentleman and his Friends became instrumental in carrying a measure of Reform which had considerably increased the Parliamentary constituencies of this kingdom, for the right hon. Gentleman and his Friends avowed their readiness to appeal to, and their readiness to abide by, the verdict of the enlarged constituencies, and now that the verdict had been so emphatically pronounced, and so faithfully represented by the measure before them, he asked the Constitutional party how they could say that opposition to Her Majesty's Government did not mean opposition to the nation? The Commons were never so fairly represented as in the present Parliament, which would obviate that delay in legislation which had become an intolerable characteristic of the Parliament elected by a more contracted body. The right hon. Gentleman and his Friends had described the measure as confiscation, robbery, spoliation, sacrilege, as tending to substitute the supremacy of the Pope instead of that of the Queen, and as leading to the disruption of the Empire. He was not surprised that the hon. Member for Bandon (Mr. Shaw) should object to that high style of oratory, which consisted in the reckless use of words of great length and awful import. No one could see why they should charge, not them, but their countrymen generally, with those high crimes and misdemeanours. What had happened was simply this—the vast majority of the electors of the kingdom had declared it to be inexpedient and unjust that a small minority of the Irish people should monopolize the whole of the ecclesiastical revenues of Ireland, and they were now endeavouring to give practical effect to that declaration of the national opinion. As a Member of the House of Commons he was proud of the talents and solicitous for the fame of the right hon. Gentleman the Member for Buckinghamshire, and he was always sorry when the right hon. Gentleman took the philosophical line, because he then invariably laid down propositions quite untenable. His theorizing the other evening on the union of Church and State, and the necessity of having an Established Church, appeared to him the merest special pleading. Now he (The O'Donoghue) thought the Government could be carried on quite as well without an Established Church as with one. He was far from saying that there were not conditions in which great advantages might arise from having an Established Church, but only when there was unity of faith or something approaching to it. It was impossible to show the utility of an Established Church, or to defend its maintenance, when those who rejected its doctrines constituted the vast majority of the country. The aim of this Bill was to establish religious equality in Ireland, and to establish it on the principle of disestablishment and disendowment, instead of establishment and endowment. He had always felt that in a country where there was such a diversity of religious belief and so many different sects, religious equality could not be brought about in any other way. What was called the "levelling up" system was only proposed to encourage squabbling, and thereby prolong the existing state of things. The Irish Church had many defenders, but it was impossible to reconcile her position with the principles of equality. If her defenders were asked whether they were for or against religious equality, they never gave a plain categorical answer. They did not wish to face the odium of declaring themselves the friends of religious inequality, and so set themselves to invent reasons why religious equality could not exist in Ireland. He would give one or two more specimens of what he called this harmless style of reasoning—"As a small minority of the Irish people had appropriated the ecclesiastical revenues of Ireland for the last 300 years, a small minority has a right to appropriate them for the next 300 years;" "As far the greater number of the Irish landlords are Protestants, the tithes must, as a matter of course, be devoted to support the form of worship which they profess;" "That it is immaterial to reflect that the tithes of a portion, or the value of all the land of Ireland, have from time immemorial been set aside for ecclesiastical purposes;" "That the Catholic occupiers who pay nearly all the rents, which include the tithes of Ireland, do not contribute directly or indirectly one farthing to the support of the Established Church;" "That in Ireland, Church property and private property are identical, and that you cannot interfere with one without endangering the title of the other;" "It is true that Church property has been interfered with in Italy, in Spain, in Portugal, and that private property has not sustained any injury in those countries, but this would not be the case in Ireland." The latest and newest of all these specimens came from the right hon. and learned Member for the University of Dublin (Dr. Ball), who said that the Irish Protestants were so particular about the breeding of their parsons that they must be provided with ample means to induce fine gentlemen to enter their pulpits. This was what he called the harmless style of reasoning, because it could convince nobody, and only helped to illustrate the weakness of the cause it was intended to advocate. But there was another method which, although it did not convince the understanding, roused the passions of men on both sides of the question. The right hon. Gentleman the Member for the University of Oxford (Mr. Gathorne Hardy)—who might be taken as a full-blown sample of the English "No Surrender" politician—had argued that the Irish Catholics must be tolerated, but that they could not have equality; that the Irish Protestants were to be maintained in possession of the ecclesiastical revenues, because they were of the same race as the majority of that House; or, in other words, because he regards them as Englishmen and not as Irishmen—and because their ancestors had been the faithful allies of the political ancestors of hon. Gentlemen opposite in the misgovernment of Ireland. He also said that the revenues of the Protestant Church in Ireland were to be maintained for the purpose of "feeding the lamp of the Reformation"—or, in other words, to force the doctrines of the Protestant Church down the throats of people who for more than 300 years had continuously rejected them, and who, no matter what might be thought of their faith by others, must be admitted by all to have adhered to it with an enduring fervour. Happily those who adopted the style of reasoning to which he had referred were in a considerable minority in that House and out of it. If it were otherwise no Irishman would be warranted in telling his countrymen that they had anything to expect from the justice of England, or from the efficacy of constitutional action. Ireland would in that case still be governed by faction and held by force with a strain on the connection which rendered it liable to be snapped at any moment, very possibly to be re-united, but with blood-stained ligaments. So far as he was concerned he accepted this Bill as a most satisfactory settlement of the Irish Church question, and he should suspect any Liberal who opposed it of being actuated by the spirit of intolerance. He should be sorry to see it altered in any substantial particular—indeed, in any particular at all. The smallest concession to bigotry—either on the side of Protestants or Catholics—would defeat the object of this Bill. He did not disguise from himself that if the clergy and laity of the Protestant Church combined, and if they were animated by the zeal for which he gave them credit, the Bill afforded them opportunities for laying up rich treasures for their Church. He did not complain of this. All he asked for his Catholic fellow-countrymen was equality, and the Catholic who would be satisfied with anything less than equality and the Catholic who at this moment revived old pretensions were as much enemies to the peace and prosperity of Ireland as the most rampant advocate of Protestant ascendancy. He expected great things from this Bill, although he did not expect instantaneous results, more especially when hon. Gentlemen opposite were endeavouring to create the impression that this Bill would never pass, or that it would only pass in a mutilated and useless form. It was only too true that there was much distrust of that House in Ireland, and it had yet to make its reputation in a favourable sense with the mass of the people of that country. There had been an infinity of bad legislation for Ireland, much abortive legislation, and a persistent disregard to the earnest appeals of Irishmen for justice. He was not the only person there who had staked his political career on the assertion that all this was about to be changed. He had made this venture because of the confidence he felt in Her Majesty's Government, and in that great Liberal majority, which he believed represented their countrymen in nothing so fully as in the kindness of their sentiments towards Ireland. It still remained for the great Liberal party to give the Irish people confidence in that House, and they could not make a better beginning than by an Act which would be not merely an act of justice, but to which, for the sake of the union of Ireland, they would have sacrificed some cherished English prejudices.

LORD GEORGE HAMILTON said, he was very unwilling to obtrude himself on the notice of the House; but as the great constituency which he represented (Middlesex) had, in a manner as unmistakable as it was remarkable, expressed their entire disapprobation of the first principles of that Bill, he hoped the House would feel that he had sufficient excuse for addressing them upon that occasion. In the course of that discussion he had been much struck by the malignant pleasure with which hon. Gentlemen opposite who professed the Protestant faith but represented Roman Catholic constituencies seemed to take in abusing their own religion. They had a remarkable instance of that in the amusing declamation of the hon. and learned Member for Londonderry (Mr. Serjeant Dowse). That hon. and learned Gentleman had informed them that he was a Protestant Episcopalian, but no one could have suspected the fact from the general tenor of his address. He gave as a reason—"it was the cheapest and most respectable religion." If, however, this Bill passed, and the property of the Church were taken away, it would be no longer the cheapest religion, and, consequently, he supposed it would cease in the hon. and learned Member's opinion to be the most respectable. The constitutional part of the question had been so ably examined that he would say nothing upon that subject; but no sophistry, however ingenious—no eloquence, however sonorous—could disguise the fact that this Bill directly violated the Prerogatives of the Crown, infringed the fundamental principles of the Constitution, and deliberately ignored every compact entered into between the House and Ireland. It also violated the Union between England and Scotland, as would be seen by reference to the 11th clause of the 3rd Article. They had been told by the President of the Board of Trade that he did not care for parchment. The information was unnecessary, for that side of the House had learnt it by experience. It mattered not whether it was a postal contract or the guaranteed existence of a small State, if exigency required it the compact was disregarded. The right hon. Gentleman the First

Lord of the Treasury, in his celebrated Letter which he wrote in 1865, when a candidate for the representation of the University of Oxford, said that he took the Act of Union as a landmark which must have important consequences, especially as regards the position of the hierarchy. The landmark, he (Lord George Hamilton) greatly feared, had now vanished. But perhaps that might be looked upon as what was called "a declaration of intention" — a thing which whatever might be its advantages had not the benefit of being binding. Hon. Gentlemen opposite had referred to past history, and expatiated on the enormity of the penal code. He did not wish for a moment to defend that code, but it ought to be remembered that this same penal code which had been so much denounced was forced upon the Protestant Church of Ireland by the policy adopted by the Roman Catholic Church. These hon. Gentlemen forgot that in those days men were rougher and ruder than they were now, and the sole means of defence which were suggested were retaliatory, and if the former erred in doing this she merely erred in adopting the policy of her ancient rival the Roman Catholic Church. Hon. Gentlemen, again, in referring to history did not paint both sides fairly. Much had been said about the massacres of Cromwell and William III., but they seemed to forget that these were the natural consequences of the massacre of 1641, when upwards of 80,000 Protestants were butchered in cold blood, and that under religious auspices. In referring to these things he had no wish to increase political rancour. He was not in favour of making political capital in that House or out of it by raking out of the graveyards of past times the records of crimes and atrocities committed hundreds of years ago. He called attention to the facts merely for the purpose of showing that if history were referred to it would not be so completely in favour of hon. Gentlemen opposite as they were willing to suppose. The argument had been adduced against the Church of Ireland that some hundreds of years ago it was most venal and corrupt; that its ministers did not faithfully fulfil their obligations; and that, in short, it was full of evil and all that was of bad report. Now he contended that the more venality, the more vice, the more corruption, and the more evil that existed formerly in the Church was only a stronger argument for maintaining it, because hon. Gentlemen on both sides of the House admitted that there nowhere existed a better body of men than the Protestant clergymen of Ireland, or a body of men who fulfilled their duties more zealously and uprightly, and with the anxious desire to do all which they undertook. Therefore, he repeated, that the more corruption and crime and vice were proved to have existed hundreds of years ago in the Church of Ireland only showed the great improvement which had taken place in that Church, and the desirability of keeping up such an institution. What reason or justification, then, existed for bringing in a Bill to sweep it off the face of the earth, to prevent it — in the words of one of its most eminent opponents from "cumbering the earth?" Into the question of disendowment he would not enter. That had been already done by the hon. and learned Member for Richmond (Sir Roundell Palmer) in an argument which not only was unanswerable, but which nobody down to that moment had attempted to answer. He confessed that he did not know how weak the case of the Government really was till last night, when a right hon. Gentleman of the eminent ability of the Chancellor of the Exchequer could only make so lame and stilted a reply. However, the speech threw this new light upon the question; the right hon. Gentleman said that everybody ought to "walk into his own creed," but he did not explain how this extraordinary performance was to be accomplished. Into the details of the plan of disendowment nobody yet seemed to have entered; but he ventured to say that a more extraordinary plan had never yet been proposed to Parliament. He did not count much upon his own experience; but he candidly asked hon. Gentlemen on either side if they ever remembered a Bill of such importance the Preamble of which was directly at variance with the clauses? The Bill contained a wholesale system of bribery. Everybody was to be bribed excepting those for whom the endowments were made—namely, the laity of the Church of Ireland. But if one thing had struck him as being more curious than another in the course of this discussion it was those professions of political morality with which hon. Gentlemen opposite always thought it necessary to preface their observations in support of the Bill. When he listened to these protestations he was reminded of the story of the sanctimonious pirate who kept the Ten Commandments hung up in his cabin, with the exception of the eighth, which was carefully erased. With regard to the surplus to be derived from disendowment he confessed that at first sight it appeared fair to give it for the purposes contemplated; for if it was thought necessary to apply money originally devoted to religious purposes to secular purposes, it certainly seemed that it could not be applied to better ends than the relief of suffering. But the more he looked into the plans for the distribution of the surplus the more he thought it no exaggeration to say that out of the proceeds of the disendowment of the Church a new endowment and a new Establishment were to be formed, an endowment, in short, of a gigantic monastic and conventual system, to be supported out of the spoils of the plundered Church of the Reformation. The surplus was to be devoted to five purposes. First of all, it was to be given to the support of hospitals and infirmaries for lunatics, and the county cess was to be relieved. Now, anybody who knew Ireland knew perfectly well that there were lunatic asylums in that country which were not supported by the county cess. He need only mention three—the Mater Misericordia Asylum, the hospital of St. Vincent, and the hospital in Jarvis Street. All these were attached either to monasteries or to nunneries. He wanted, therefore, to know if the surplus was to be applied for the benefit of lunatics how they were to prevent a portion of the money going to the support of the three asylums he had mentioned, and thus finally to the support of monasteries? The application of the money, of course, was intended to be secular; but perhaps this was a mere declaration of intention. The second purpose to which the surplus was to be devoted was to the maintenance of industrial and reformatory schools. Now, almost all these institutions had been established for Roman Catholics in connection with monasteries and nunneries, especially those at Monaghan, Cork, and other places. He asked, again, then, how they were to prevent the Church's funds going to the support of monasteries and nunneries if money were given to these schools? A third object to which the money was to be appled was to schools for trained or skilled nurses for the poor. Now, who were the skilled nurses for the poor in Ireland? Why, the nuns. He did not wish to say one syllable against those ladies; one could not but admire the consistency with which they performed the duties which they undertook. But the opinion of the English people was that the advantages of the system were more than counterbalanced by its disadvantages, and that opinion had been strengthened by a recent trial not very far from the walls of that House. It did seem to him incredible that a Government could come down seriously to the House and propose a scheme, one of the features of which was the endowment on a large scale of nunneries, when one of the ablest and best of that Government had been so lately employing his energy and ability in exposing the drawbacks and cruelties of that system, and whose appeal to the jury had been applauded to the echo by the thousands who filled the Court and its approaches. As regarded the care of the deaf and dumb and blind, this hitherto had been achieved by voluntary effort, and the proposals of the Government in that respect could only have the effect of stopping private contributions and freezing up the sources of charity. Of the operation of the Bill upon the curates, he would only say that it did seem a miserable thing to enact that no matter what energy or ability a clergyman might display in his office, he never was to receive one sixpence more than the miserable pittance which was at present paid to him. By the very nature of his employment a clergyman could not better himself elsewhere as a layman might do, and the terms of the Bill actually made his pittance conditional upon his remaining in the place where he might be at the passing of the Bill. He had not been in the House when the hon. Member for Kilkenny (Sir John Gray) made some remarks affecting a near relative of his, the Duke of Abercorn, stating that by the Commissioners' Report the Duke appeared to be in possession of 5,736 acres of Church land in the bishopric of Derry at 2*s*. 7*d*. an acre, and describing those lands as princely in their character, surrounding the mansion of Baronscourt, and having in their very heart the prosperous town of Newtownstewart; and the hon. Member went on to suggest that somehow or other the Duke of Abercorn had also got possession of the lands and ancient castle of the O'Neills. The hon. Member for Kilkenny, in making that statement appeared to intend to show that the Duke of Abercorn, in his desire to maintain the Church, was influenced by the fact that he had perpetrated some job as to the lands of the Church and wished to carry it on. It was perfectly true that thirty-five years ago the Duke did purchase these lands, and whether the Church were established or disestablished made not one sixpence of difference to him. The lands, so far from being princely in their character, were, perhaps, among the worst class of land in the county, and they could not be said to surround the family mansion of Baronscourt, inasmuch as they were not visible from the house. Further, he had to say that the prosperous town of Newtownstewart was not in their very heart, and that the lands and castle of the O'Neills never did belong to the Duke of Abercorn, and very possibly never would do so. Next time the hon. Member for Kilkenny thought proper to attack the character of any private individual, he would probably think it right to ascertain beforehand that his facts corresponded with his assertions. On the subject of voluntaryism, he would only say that the strongest argument which he had yet heard against it was the speech of the right hon. Gentleman the Attorney General for Ireland (Mr. Sullivan), who expatiated on the numbers of the Roman Catholics and their religious zeal, which, he said, was superior to that of the Protestants, but he said that their chapels were in ruins, their priests dwelt in miserable cottages. If the Protestants were inferior in religious zeal and in numbers to the Roman Catholics, their contributions would also be inferior to those of the Roman Catholics, and in that case what would happen if their chapels and the houses of their clergy were in a more ruinous state than those of other religious denominations? Why, they would cry out that they had a sentimental grievance, and would demand that the chapels and the houses of the Roman Catholic clergy should be reduced to the same miserable condition as their own. Surely that would be the same argument as had been made use of in support of the Bill. The right hon. Gentleman the Prime Minister, while asserting that voluntaryism would succeed in Ireland, had at the same time taken care to provide for the repair of St. Patrick and Christchurch Cathedrals. But, surely, if voluntaryism was to succeed anywhere it would be in one of the richest cities in Ireland, and yet the right hon. Gentleman was afraid to trust the repair of those historical relics to that feeling among the Protestants in Dublin. If the Protestants in that City were unlikely to contribute towards the expenses of repairing their churches, how could it be expected that the thinly scattered inhabitants of the rural districts would maintain their churches? The Bill before the House was the only measure in connection with Ireland which human ingenuity could devise that would inflict a permanent wrong upon a large part of the population without conferring any benefit upon the general community. He was speaking, not on behalf of the richer Protestants, but on behalf of the hundreds of thousands of poor Protestant farmers and artizans who would be deprived by the Bill of all religious ministrations. What would be their feelings? Their ancestors had been induced to settle in that country on the distinct understanding that their Church should be endowed, and that its endowments had been secured by every tie that legal ingenuity could suggest. They had been devoted to England and the Crown, and the result of that devotion and loyalty was that they were to be deprived of that which they revered above all things. He did not fear for their future loyalty, because their chief fault had been that their loyalty had been at times too exuberant. But was what Parliament was about to do likely to increase that loyalty? for when the time came that we should have again to appeal to their loyalty, might they not say—"We have always been England's best friends, but how have you treated us?" and when the necessity came which would require us to appeal to the Roman Catholics, would not they say—"We recollect how you treated your friends the Protestant; we won't run the risk of being treated so ourselves." The Protestants said this question of the Irish Church had been viewed through the smoke of the ruins of Clerkenwell, as some persons hoped that the land question would be viewed through the smoke of the assassin's pistol. Last year the late Government were taunted with having been influenced by a presiding genius outside the Cabinet; but when a Government depends for its existence upon the support of sixty Members from the sister island, who were returned, not by the will of their constituents, but by the will of one ecclesiastic in Dublin, was it too much to say that that ecclesiastic is the presiding genius of the present Cabinet? The right hon. Gentleman the President of the Board of Trade hit the right nail on the head when he said that Ireland was the most Roman country in Europe. He did not wish to say a single word against the Roman Catholics, the great majority of whom he regarded as loyal subjects and devoted to the Crown, but we all know the system of Rome; it is to place unbounded power in the hands of those holding high position in the Church, a power which no men should have, a power which could be used for good or for evil, but which recent events in Ireland had shown could be used unscrupulously. Therefore, even if he approved of disestablishment and disendowment, even if he did think it right to sever all connection between the Church and State, he should feel bound to oppose this Bill, which was merely a specious excuse for transferring the chief part of the property of the Irish Church in Ireland to the aggrandizement and advancement of a Church whose ascendancy was incompatible with civil liberty, uncongenial to temperate religious freedom. He must thank the House for the kindness and attention with which they had listened to his remarks. Feeling strongly upon the subject, and representing a constituency which also felt strongly upon it, he had spoken plainly what he meant; but, at the same time he trusted he had not in any way hurt the feelings of hon. Members opposite, for that would have been his last intention and wish.

Mr. G. H. MOORE said, that he was very much rejoiced that the Government had at last been induced to extend to Ireland that amount of consideration, and was endeavouring to extend to it that amount of justice to which that country was undoubtedly entitled, and which had been withheld from it for so long a period. He was also glad to be able to entertain the belief that a victory was at hand which would be creditable to Parliament, and which would give gratification and he hoped some degree of peace to Ireland. He had for many years taken a deep interest in the religious and political affairs of Ireland, and, as one of its representatives, he now rejoiced at the display of sincerity and earnestness which the present Government had shown in regard to that country. Many years ago the right hon. Gentleman the Member for Buckinghamshire gave expression to opinions which certainly he was not prepared to hear him abandon in this debate. He had been quite aware that his own was but a very ineffective voice in the wilderness; but a voice had been heard in the desert before his, which he had felt was one destined to be listened to. The splendid genius which dictated the utterances of that voice had caused it many years ago to speak some plain truths and pregnant sentences on the position occupied by the Established Church in Ireland. He could not but admire the coruscations of that fascinating imagination which, like the loadstone, seemed to attract all that came near it; but when he heard the speech of the right hon. Gentleman the other evening he was reminded of Samson in the hands of the Philistines. In that speech the right hon. Gentleman spoke of the advantages which the State must derive from the influences of religion, and said the duty of the State was not to maintain a position of isolation from, but to give direct encouragement to the religion of the country. He said that freedom and toleration had grown up in England under the Established Church; he laid down that it was the duty of the State to carry out with fidelity the purposes of its trust towards the Church of the country. He did not think that all the inferences drawn by the right hon. Gentleman from his propositions were utterly devoid of truth. He could scarcely believe that the right hon. Gentleman himself was quite satisfied with the reasons he had given against the principle of the Bill; but he believed, on the other hand, that Her Majesty's Government were not quite satisfied with the details of the measure. Certainly he was not satisfied that it would be impossible to pass this Bill without all the jobbery and waste involved in some of its details. He presumed that the Bill required to be greased and manipulated to make it pass through the narrow passage lately opened in the wall of Scotch prejudice, and that it must be further lubricated and salivated in order that it might be swallowed by the boa constrictor of Irish landed proprietorship. The right hon. Gentleman the Member for Buckinghamshire and the right hon. and learned Gentleman the Member for the University of Dublin (Dr. Ball) were of opinion that funds of the Established Church should be devoted to their original use. It was his own opinion, too, that they ought to be devoted to the religious uses of the whole of the Irish people, not in a spirit of narrow and sectarian prejudice, but in a spirit of mutual charity and justice. It had been said that the Irish Catholic Bishops had distinctly objected to any portion of those funds being allocated to Catholic purposes. They had done nothing of the kind. If such an allocation were made in a manner otherwise unobjectionable the Irish Catholic Bishops would have no power to reject it. The right hon. Gentleman the Member for Buckinghamshire said that the Government would require the co-operation of the ministers of the Established Church in Ireland to enable them to carry out this Bill. It appeared to him that the only co-operation required of these rev. gentlemen was the acceptance by them of the money which it was proposed to give them. He had no doubt that this co-operation would be given; nor did he doubt that from the Catholic Bishops the Government would receive the same considerate assistance. An old proverb said—"There is nothing new under the sun," and from some of the speeches he had heard in this debate, he thought that nothing under the sun could be considered obsolete. One hon. Gentleman, whom he had neither the pleasure of knowing nor the pain of hearing, was reported not only to have revived the old notion about the Coronation Oath, but to have warned his Sovereign against adopting the opinions of the most eminent jurists in preference to his own. Another hon. Gentleman, whom he might designate as the Scipio Africanus of South-west Lancashire, had ventured to inform the House that the one religious institution which had fostered liberty of thought and action, and had most steadily exercised a moderate and civilizing influence over the whole of the country, was the Irish Church. But the fact was that the Penal Laws of which so much had been said were passed at the suggestion and desire of the Irish Church and Irish Parliament, and were frequently met by remonstrance on the part of the English Legislature. The intent and object of those laws was not only to inflict upon the Irish people every possible evil, but absolutely to stimulate them to the commission of the worst crimes of which human nature was capable. ["Divide!"] He was not going to hold Irish gentlemen of the present day responsible for the sins of their fathers; but it should be remembered that the most iniquitous of the penal enactments were passed in spite of remonstrances from this country, and that each generation of the defenders of the Irish Church opposed and resisted each new and progressive step in religion and legislation. He might venture to say that the wrong with which they were now dealing had received the most indignant condemnation from the greatest men who had lived during the last half century. It had been condemned by English Lord Chancellors, Chief Justices, Prime Ministers, and Leaders of the Opposition; by the constituencies of England at the last election; by the majority of the House consequent upon that opinion of the constituencies; and by the opinion of the two most eminent men in the ranks of the Opposition. The verdict against that Church had also been expressed in terse and unequivocal language by a great political philosopher —Lord Macaulay—who said—

> "When a Legislature is called upon to decide whether an institution shall be retained or not, they ought first to ask whether it is a good or a bad institution. I think that the Established Church of Ireland is a very bad institution. I will go further—I am not speaking in anger, or with rhetorical exaggeration; I am calmly expressing, in the only appropriate terms, an opinion which I formed many years ago, and which all my observation and reflection have confirmed, and which I am prepared to support by reasons, when I say that of all institutions now existing in the civilized world, the Established Church of Ireland is the worst."

He did not ask hon. Members to pin their faith to Lord Macaulay; but such an expression, used by such a man, was not without weight. The right hon. Baronet (Sir Stafford Northcote) had asked the meaning of the two terms "Protestant ascendancy" and "religious equality," as these phrases were used in Ireland. Now he (Mr. Moore) would endeavour to inform him. "Protestant ascendancy" was no phrase of the Catholic party—it was a Protestant phrase, and one of great significance, long used by a body of men who knew their own meaning probably a great deal better than the right hon. Baronet knew his own. Protestant ascendancy at that time meant, as it was described by Burke to be, a division of the people of Ireland into two classes—the one to have all the rights, the property, and the education of the people exclusively to themselves, the other to be the mere hewers of wood and drawers of water. Protestant ascendancy, in a subsequent generation, meant just as much of all those advantages as the Irish Protestants could manage to retain for themselves and prevent their fellow-countrymen having. At the present day Protestant ascendancy meant the Irish Church and all those concomitant advantages which the Irish Protestants could still use to their own profit and to the injury of their neighbours. Religious equality meant the obliteration of all those differences of caste which Mr. Burke had described as being claimed and possessed by Irishmen of one religion over Irishmen of another. He understood it to mean the abolition of Protestant ascendancy, or—to use an agricultural figure—the pruning of those sectarian trees whose branches shut out the light, and whose roots impoverish the soil. The hon. Member for South-west Lancashire (Mr. Cross) said that the great question of disestablishment and disendowment was never discussed as an abstract principle last Session, and these things were never traced to their sources and examined in their consequences. At all events they had been discussed abstractly enough in the course of the present debate The Attorney General for Ireland was wrong in stating that the right hon. and learned Member for the University of Dublin (Dr. Ball) abandoned the principle laid down by the Leader of the Opposition in opening the debate; on the contrary, his chief merit was that he interpreted clearly into the vernacular the more lofty phrases of his political Leader. The purpose of both was to prove—first, that the object was to overthrow the principle of Church Establishment in this country and to establish the voluntary principle; second, that the principle of voluntaryism was a bad principle, and the principle of Church Establishment a good one; and third, that, irrespective of the merits of the two systems, it was unconstitutional and even sacrilegious to divert the funds of a Church once established to secular objects. Allowing these propositions, for the sake of argument, at all events, it must be admitted that, to justify the maintenance of any religious institution, the primary purpose of that institution must be fulfilled. The principle on which Church Establishment was founded was the right of every man, poor or rich, lord or peasant, to religious instruction in life, and religious consolation at death. It was on this principle the early Christian Church was founded and the early Reformers proceeded. The acts of the first Reformers were cruel, but their purposes were not, for their intolerance was a large and hopeful one, founded on a hope and an intense conviction that they would ultimately force all mankind into one Church. When it was said that there was not a single precedent for the confiscation of the property of a Church once endowed for secular purposes, he referred to what had occurred in Scotland, and also to the Act passed in 1690, after the Scotch abolished prelacy, declaring that all the property of all the Bishops, prelates, and other dignitaries who had ceased to exist under the Scotch law should be thereby confiscated to the uses and purposes of the King and Queen and their successors. And accordingly the whole of the property of the prelacy and episcopacy of Scotland had remained in the possession of the Crown from that time. The arguments now addressed to them in this debate would have been just as strong if they had been addressed to the Scotch Convention on the occasion to which he referred. No one could doubt that it was to disestablishment and disendowment that Scotland was indebted for the possession of religious freedom, and the like results might be expected in Ireland.

MR. GATHORNE HARDY *: The hon. Member who has just sat down has used language which we have certainly not been accustomed to hear from that side of the House. He has stated as a fact what every one of his Companions has hitherto absolutely denied, for he has told us that this great question has been brought before the House in consequence of the political exigencies of party. When such a charge as that has ever been hinted at from this side of the House, we have been hushed by a cry of shame at the mere idea of imputing such derogatory motives to those who sit on the Treasury Bench; but now they have heard the charge from one of their own supporters, though it must be admitted he has supported them in a somewhat Irish fashion. The hon. Member says he supports the Bill which proposes, as everyone knows, entire disestablishment and disendowment, because he thinks there ought to be universal establishment and universal endowment. He has told us he objects to the application of the surplus funds in the way proposed because of the waste and jobbery which will ensue in the course of its administration; still he says this is the measure which will pacify Ireland, and which, despite its unsatisfactory details, pacifies him. With respect to the remarks of the speaker who preceded him (The O'Donoghue), who did me the honour to comment upon some remarks of mine made last year—though I think he somewhat misinterpreted them—I have little to say. The hon. Member tells us that we who were in Office last year were bound, when we had appealed to the country, to abide by the verdict of the country, and, having been defeated by a majority on the hustings, that we have no right to come here and maintain principles which we ourselves advocated on the hustings. But the hon. Member should recollect that he himself has not always been in a majority in this House. There have been occasions in which he and others, his co-patriots, would have been ready to die upon the floor of the House in behalf of principles supported but by a very small band. He has thought right, no doubt, in deference to the principles which guided him, to maintain his opinions in the face of a majority; and if he has had the satisfaction of converting the Treasury Bench by his eloquence and patriotism, let him exult in the possession of such allies; but at the same time allow us, who are deputed to speak in another sense, and to represent the opinions of those who have sent us here, to speak boldly that which we believe, and to contend to the end against measures which we believe to be detrimental to the State. After the Reform Bill of 1832 the Conservatives who mustered in this House formed a much smaller band than sit upon these Benches now. In 1832, it was supposed the majority was about to sweep everything before it, and yet, in 1834, Sir Robert Peel was summoned from Rome. Already the signs of what they were attempting to do against the Church in Ireland had raised the feeling of the country against them. They went on step by step in their downward career, till at length the time came when Sir Robert Peel, in 1841, supported by the country, returned to the House with a majority of 91, and the great majority which followed the passing of the Reform Bill was thus dissipated as mist before the sun. I have faith in the principles we are professing, and when I am told by the right hon. Gentleman the President of the Board of Trade, and by others who have spoken like him, that all thoughtful men are against the Irish Church, that for fifty years every Statesman has looked forward to some such consummation. [Mr. BRIGHT: Every Liberal Statesman.] Every Liberal Statesman! I admit the right hon. Gentleman's consistency, and I admire it; but let him look at those by whom he is surrounded. Are they the Liberal Statesmen who have so looked forward; I see the right hon. Gentleman the Member for Morpeth (Sir George Grey) behind him. It is but two years since he told us that such a measure would produce a revolution. I look upon my right hon. Friend the Member for Oxford (Mr. Cardwell), and the language he employed fell very little short of that. I could name others. There is my right hon. Friend, the representative for Limerick (Mr. Monsell); he said there was no one who wished to destroy the Irish Church, and no intention of destroying it. These things are in our recollection. They are not mere matters of history; they have happened within the time that we have been in this House. The right hon. Gentleman opposite (Mr. Bright) may exult in his own consistency; but when he speaks of Liberal Statesmen who have advocated this measure I must ask him to look back and tell me who they are. Let him look back at Plunket. Was Plunket a Liberal statesman? If ever there was a Liberal statesman he was, and yet he declared that the measures which he advocated, with an eloquence never rivalled in this House, were not in any sense in hostility to the Established Church. I might name others, but I will pass onwards. I am not going now to give any extracts in proof of what I say, because I believe the House is wearied of extracts, and there are some with which I may have to trouble it later in the evening. We were asked by the right hon. Gentleman who introduced this Bill to give him credit for having carried out his promises. Sir, I give him credit for having carried out his promises, in the sense of destructiveness, to the fullest possible extent; for having done his best to destroy and sweep away all that he once held precious. But when I look for the leniency and generosity which were to be expected, when I remember the words used by the right hon. Gentleman the President of the Board of Trade last year—"Let us be generous, let us be gracious, let us be even tender in dealing with this subject," and then remember the terms in which this matter has been spoken of as "a winding-up," as the right hon. Gentleman opposite called it, and see the name of the President of the Board of Trade on the back of a Church Bill—a most unusual place for it—I think I can see what counsels have prevailed. But the right hon. Gentleman's name was put there, I suppose, to satisfy the extreme Liberationists and to show them that Her Majesty's Government were prepared to go the extreme length of destruction. We are told that this is a great question, and that practically there was no alternative. The right hon. Gentleman the Chief Secretary for Ireland informed us that no internal reforms in the Church would by any means meet the necessities of the case. It is therefore of no use that I should address myself in any sense to the question of these reforms. [The Chancellor of the Exchequer made an observation across the table.] I hear my right hon. Friend (the Chancellor of the Exchequer) murmur something across the table. From his speech last night every one knows there is not the slightest use in addressing any arguments to my right hon. Friend. He has told us that he is determined to alter the position of the Church in Ireland, and I am sure, with that firmness which he possesses—but which some would call by a harsher name—he will persist in his determination. I may assume, then, that alterations have been made such as to fit the Irish Church for the peculiar position in which she is placed, and to make her perfectly adapted to fulfil her functions in that sphere. I have a right to assume this, because I am told that it would be no use to argue the matter. But then I am told that however improved or perfect in herself she may be, she is an "anomaly," a "monstrosity," an "injury to Protestantism," and that there is but one remedy, the "severe and sweeping" remedy of disestablishment and disendowment. When I look back within my own recollection, and remember the great changes which have occurred with respect to the Roman Catholic hierarchy, the Roman Catholic priesthood, and the Roman Catholic laity; when I see the privileges which have been conferred upon them, the equality to which they have attained in all civil matters—I will come to the question of religious equality afterwards—when I recall all the civil privileges which have been conceded, that they are placed on the same footing as their Protestant fellow-countrymen, having their chaplains in many of the institutions of the country, who are recognized as ministers in almost as great a degree as those who belong to the Established Church—when I find all these things, and find, too, that they have still something more to demand, founded on—I will not use the term sentimental grievance, which has given so much offence—but on something which rankles in the mind of Ireland, I cannot help being reminded of that which was the great cause of the envy and malice and cruelty of one who was once in a very high position—namely, that "Mordecai sits in the King's gate." All availed nothing so long as Mordecai sat in the King's gate. That is alleged to be the feeling in the breasts of the Roman Catholics of Ireland. No matter what good the Church may have done, no matter how exemplary its ministers may be, the very respect in which they are held seems to be the cause of all this jealousy, and they must be pulled down. Now, the Dean of Westminster has said that the "demand for the destruction of a rival without advantage to ourselves may be vengeance, but it is not justice." Yes, it is vengeance; that is what is asked for in this case with respect to the Establishment. Now, I have some difficulty in dealing with this question of disestablishment, because we are not met in a bold and straightforward manner except by some hon. Member below the Gangway, such as the hon. Member for Merthyr (Mr. H. Richard) who spoke last night. When I appeal to some hon. Members, they say—"We are not against Establishments. We think them excellent things." The right hon. Gentleman (Mr. Bright), I admit, does not say they are excellent things; he says, "Put England and Scotland out of the question—we have nothing to say about them at present." Others say it is a question of time or of circumstance, and that we are not now dealing with Establishments generally, but only with the Irish Establishment. Well, I am bound to say that, in my opinion, the Irish Establishment does a good work. I look upon it, and especially since the period of the Union, as a part of the Imperial Establishment; but you are trying to separate Ireland from the Imperial Government; you are setting up a new system, totally contrary to that which used to be contended for in this House. Mr. O'Connell and others used to say—"Give us like institutions;" but now the demand is—"Give us unlike institutions; let Ireland be governed on Irish principles," and you are endeavouring to make a severance in this Imperial realm, and to put Ireland on a different footing from England. I believe that in Ireland the parochial clergy are doing an excellent work. You go through a list of parishes and say—"There are only thirty Protestants here and only forty there;" and you turn round on the Commissioners—whom it is not my business to defend—and say that they themselves admitted that you should not keep a resident minister among forty people, but should leave them to be scattered from the fold. In answer, I say, in the first place, you are misrepresenting the Commissioners and misrepresenting I think also the hon. and learned Member for Richmond (Sir Roundell Palmer) for I understood both him and them to recommend, not that spiritual sustenance should be altogether withdrawn from such people, but that parishes should be combined and the strength of the Church so distributed as to make it most efficient. When you speak of the clergyman's work in an English parish you do not speak of the number of people who have sittings in his church, or who are communicants, but you say there are so many residents in the parish, and by that you measure his work. When, however, you speak of the Irish clergyman's work you adopt a totally different principle. You say,—"We have a Census, and we find that he has only so many belonging to his Church." That, however, by no means measures his work—for though the clergy in Ireland may confine their religious ministrations to their own flock, they do not so confine those ministrations which are ministrations of charity—visits to the houses of the people, attention to their temporal wants, and the watching over their educational interests. In many such ways their attention is directed to the poorer members of their flock throughout the whole parish; and it is absurd—nay, more, it is cruel and unjust—to measure their work merely by the number of people who belong to their congregations. Again, I maintain, in spite of all the protestations from the other side of the House, that the Established Church is the nation's distinct recognition of an Almighty superintendence. It must make that recognition in some way on public occasions, in public ceremonies, in matters of State connected with the head of the Executive. In all these matters the State is put forward as religious and as Protestant, and the Sovereign at this moment is represented alike by her lay representative and by the Church in Ireland, in accordance with that religion which you have entailed upon the Crown by the Act of Settlement. She is represented in Ireland as the head of the Executive by the Church. Is the Monarch, then, to be regarded as "a badge of conquest?" Is the settlement of the Crown to be abolished in deference to the cry for religious equality, and are the 24,000,000 or 25,000,000 of Protestants in this country to give way to the 5,000,000 or 6,000,000 who may feel aggrieved in their minds, though not injured in any way otherwise, by the fact that their Sovereign is a Protestant? You are going on that account to deprive the Church in Ireland of her position, and degrade her from the position to which the State has exalted her, a position which brings with it nothing of insult or of arrogance, or injury or of oppression, to those who have not the same privileges? That position does not injure the Roman Catholic any more than it injures the Presbyterian, the Wesleyan, or the Baptist; and if you base your measure on the ground of religious equality, you cannot test that by numbers. It is a question which goes to the root of Establishments, and of endowments, also; for if there is to be absolute religious equality, you must reduce all to the same level. It does not matter, therefore, whether there are 5,000,000 or 500,000 who differ from you, for if you are to act on that principle you must put all religions on a level, not only in Ireland, but in the whole Empire. Indeed, there are plenty of people who hold that principle, and the right hon. Gentleman opposite (Mr. Bright) is one of them. He does not, it is true, press it forward at this moment; he is a great deal too prudent for that; nor do I blame him for keeping it back. He has got quite enough on his hands already, for he has a work which has been described by the right hon. Gentleman at the head of the Government as gigantic, and one such as has never been performed in any period of tranquillity. Members opposite who treat the matter so lightly should really pay some attention to their Leader, and should not take away from him the credit of a "gigantic" work by representing it as an easy one.

I am not going over the ground so ably traversed by the hon. and learned Gentleman the Member for Richmond—the question of disendowment. He asked what wrong the Irish Church had done that it should be deprived of its property, and he showed that much of the evil that had been prevalent in it was owing to the State. I fully agree with him in that question, and I also agree with him that the State crippled the Church—nay, worse than crippled it, for it filled it with its own minions, persons unfit for the duties of the clerical office, who were only sent to Ireland in order to fill their own pockets and those of their relations, while they served the supposed interests of those who appointed them. These things were bad enough; but they have passed away, and I need only address myself therefore to the present position and work of the Church? It has been said that it supported the Penal Laws. Now, I am not going to defend those laws, and they have been sufficiently condemned by every Member who has spoken; but they were passed by and have had their advocates among those who are called Liberal Statesmen. Even in recent times, indeed as recently as within the last year or two, they have been spoken of by a Liberal Statesmen without that indignation which one would have expected him to exhibit. Some years ago I read something written by Lord Russell in his *Essay on the Constitution*—published originally, I think, in 1823. Being curious to see what he had said I referred to the book, and I find that after going through the various outrages, as he said, committed by the Roman Catholics during the reigns of Elizabeth and James I., he added in reference to the Penal Laws—

> "Whether the precautions adopted by Parliament were wise I will not decide, but I am clearly of opinion they were just."

It is only just towards the noble Lord that we should look at what he says in the last edition, and in the edition published in 1865 I find the sentence a little altered. As it stands there it is this—

> "That the precautions adopted were wise I will not affirm, but I cannot deny that they were the result of many injuries."

And in both editions occurs the following passage:—

> "It must not to be supposed that a nation so humane as the English acted in this harsh and unusual spirit of bitterness without deep provocation."

Therefore, with respect to the Penal Laws, I say that not only were they passed by Liberal Statesmen, but they have also been upheld in these days as just by one of the Leaders of Liberal Statesmen. Now, has the Church of Ireland left something undone which she ought to have done? I quite admit—it would be folly to deny—that in the time of Queen Elizabeth it was the intention that the Irish Church should be the Church of the whole nation. It was intended—although they went in a very extraordinary way about effecting their intentions—that that Church should gradually obtain a hold over the minds of the Irish people as the Church of England had obtained a hold over the minds of the English people. But in order to effect that they sent there those who were not able to speak Irish, the tongue of the country, those who preached in Latin or English if they preached at all and said prayers in Latin if they said prayers at all; and who, in fact, did everything in their power to prevent the spread of the religion which it was their mission and professed intention to spread. And in addition to that, in Queen Elizabeth's time, Ireland was in such a state that beyond the English Pale there was really no security; that those who went there found it much safer to live within than without the Pale, and that, except within those limits, very little was done for the religious instruction of the natives. But, coming down to more recent times, the Church of Ireland has long been in much the same position as she is now in as the Church of a minority. As was stated by the right hon. Gentleman, her numbers at one period were 100,000; now they are 690,000, or, in round numbers, about 700,000; so that she has increased, at all events, numerically, and she has also increased in proportion to the other communions. Now, the right hon. Gentleman last year spoke of the emigration from Ireland as having much more materially affected the Celtic, or, as I may call them, the Roman Catholic, population than the Protestant. I have endeavoured to ascertain the facts as far as I could. I find that the Lord Lieutenant had an inquiry made into the emigration from Ireland, whether it was true that it consisted more of the Celtic part of the population than of the other races. Dr. Handcock who was appointed to examine into this matter, says—

> "It is manifest that the causes which have led to such a large emigration to England and Scotland, and such a still more extensive emigration abroad, have affected the people of Ireland alike, whether descended from native Celts, or from English and Irish settlers. The causes must, therefore, be general; and it is impossible to ascribe them to any policy of the Legislature or the Government directed against a particular race or creed."

I am bound to say that the right hon. Gentleman at the head of the Government dealt fairly in one respect, for he said he did not think it would be just, at the time when the Irish Church was so ill-used as she used to be, to look to her

for great results, although I myself think the results were considerable, even at that period. But the right hon. Gentleman took some thirty-five years ago as the time at which the Church was practically set free—and then he asked, what has she done? Well, Sir, she has done much. I shall probably be contradicted on that point; and I must, therefore, endeavour to fortify myself as far as I can with evidence, and with such authority as I think the House will not dispute. I say that the Church of Ireland has made many converts; not, it may be, by violent controversial proceedings, but by a quiet influence which has affected the minds of those who have been around her clergy, and who have gradually become leavened by their sentiments. Besides that, in special instances, there have been great efforts made for conversion, as, for example, in the West of Ireland; and, I may just say, that I hold in my hand an extract from one of the Roman Catholic newspapers of Ireland at the time, the *Nation*, and quoted in a pamphlet published at Belfast, in February last, by the Rev. J. Seymour—

> "Witnesses more trustworthy than Sir Francis Head; Catholic Irishmen who grieved to behold the spread and success of the apostacy, tell us that the West of Ireland is deserting the ancient fold; and that a class of Protestants, more bigoted and anti-Irish, if possible, than the followers of the old Establishment, is grown up from the recreant peasantry and their children."

That showed that by inquiries on the same side as those who were being affected by the influence of Protestant teaching, the same conclusion was arrived at, and that there was a reality in these conversions. I will quote further evidence from a letter of a Mr. Cowan, an Independent clergyman, who was connected with a New York regiment of artillery during the late civil war. He says—I quote from a pamphlet published by the Rev. Dr. Massingham—

> "In this country I have frequently heard it said that the Irish Church has been a failure in its mission, &c. But this only shows how very little is known on this side of the Atlantic of the great and all-important work done in Ireland by those holy men in the Established Church. But we ministers in the United States see the fruit from the labours of the Established Church. I was Chaplain to the sixth Regiment New York Heavy Artillery, in the late war, and I have generally had about 300 Irish emigrants, who carefully attended my services, Bible classes, and singing classes, and all testified to me that they had re-

> ceived the truth as it is in Jesus, from ministers of the Established Church in Ireland."

The hon. and learned Member for Oxford (Mr. Vernon Harcourt), in a speech which he delivered at the time of the elections, referred to something which I had said about conversion. He said—"Look at the reasoning of the right hon. Member for the University of Oxford, who says that the Irish went to America and were converted there. That shows the advantage of the voluntary system." And he went on to remark—"Think of our using such an argument as that, in favour of the Irish Church." Now, no doubt, my hon. and learned Friend is fond of turning sarcastic sentences, both in speaking and writing, and I do not grudge him that turn respecting what I said. I will bear the indignity of being supposed to argue that because people were converted in America, the Irish Church was shown to be a success. I think I have shown that in America it is found that the people who go over have been affected by the teaching of the clergy in Ireland, and that whereas a certain number of millions emigrated as Roman Catholics, there is only a proportion who have there declared themselves such. On this point I might quote Archbishop Whately, who in his conversations with Mr. Senior, said—

> "The emigration diminishes the apparent number of the conversions, for many emigrate because they have been converted, but do not like to encounter the persecution which almost inevitably awaits them here."—["Journals, &c., relating to Ireland," by Nassau W. Senior. London, 1868. Vol. 2, p. 130.]

I would rather take the opinion, however, of a hostile witness, of a person who was adverse to the Established Church. Dr. Andrews, Vice President of the Queen's College at Belfast, is averse from the system of proselytism in operation in the West of Ireland. The passage I am going to read shows that at all events certain consequences result, although he does not attribute them to the same cause that I do—namely, the effect of the Established Church. He condemns proselytism, but says—

> "As one result of this overbearing conduct (of the Roman Catholic parish priest), I may refer to the indifference to his old religious habits usually exhibited by the Irish emigrant when he lands on the Continent of America. Among the many inducements to abandon the old country for that land of promise, the prospect of escaping from his spiritual taskmaster at home is not the least considerable."

I will not dwell further on that point. I think I have made out that the Church of Ireland has held up the light of the Reformation in that country, and that she has held it up in parishes where otherwise it would not have found its way; that she has introduced it into the minds of many who, although while they were in Ireland they appeared to be adverse to the Church, yet, when they withdrew from the influence of those who had power over them and arrived in America, acted on their own convictions. You say that the Church has not had so great an effect as she ought. But it ought to be borne in mind that there is a resistance to all religious teaching, and more especially of one religion against another. Yet I think I have shown that the Church of Ireland has increased the number of her members under circumstances of great difficulty, and in spite of the immense emigration of Protestants in the last century. She has increased her proportionate numbers in Ireland, and has besides children in America and Canada to bear witness that she has testified to the truth of the principles of the Reformation. I am surprised that the advocates of the Church of Rome should complain of her missionary work, for I never take up a Roman Catholic paper published in England without seeing advertisements of missions being established for the purpose of attracting converts. They go into places where there are no Roman Catholics, importing a few and converting some. In fact, their system is to compass sea and land to make a proselyte. They cannot, therefore, justly reproach others for doing the same thing, so long as no bribery or unfair means are used. No one would palliate or justify anything like bribery, and I, for one, should be the last to do so.

I have now shown that nothing has been done or has been left undone by the Church of Ireland which would justify us in taking away that which belongs to her. But the right hon. Gentleman opposite (Mr. Bright) remarked that my noble Friend (Lord Stanley) said at Bristol—"There is an Irish question." Now what is the Irish question? It is this, that the Imperial Government of this country does not succeed satisfactorily in the government of Ireland. We admit it. Difficulties arise with every Government. But is that the fault of the Church of Ireland or of the State of England? You say it is the fault of the Church of Ireland, and in order to prove that it is so you at once propose to make an experiment on it as *in corpore vili*, and think to conciliate the feelings of those who are adverse to our Government in Ireland by throwing this sop to them. But if the sacrifice is to be made it ought to be made by the State. If the Church has been in fault, the State in former days made her what she is, and is responsible for the evils within her. At all events, she is now doing her duty and using her endowments well. You may tell me, perhaps, that, however well she may use her endowments, she is such an offence in the eyes of the people of Ireland that she and they must be swept away. Now, I assert that the State did not endow the Church of Ireland. The State may be responsible for the establishment of the Church, but not for its endowments, although she is responsible for the protection of those endowments. Therefore, I think, looking back on all that has passed, that it is an unwise course which the Government have adopted, instead of adhering to that temperate line of policy which was commenced some time ago, and which, although it may not have succeeded to the extent that some people hoped for, yet has met with constantly increasing success up to the present time. If that temperate course were steadily persevered in, we should have arrived at a better state of things much sooner than we shall do by the revolution that is intended. The hon. and lively Member for Derry (Mr. Serjeant Dowse) —I mean the hon. and learned Member —in the speech which he made yesterday, said this was only the opening of the gate, and he told us something about social equality and other things which he shadowed forth that would enter through the revolutionary gate now opened by the Government. You sacrifice the Church first for the faults of the State. It is like the story told by Sidney Smith, that when a hungry mob came to the Bishops while they were at dinner and demanded that the dinners should be given to them, the right reverend Prelates threw out the dinners of the deans. So the State proposes now to throw out to the hungry mob the Church of Ireland, to be devoured, but it will whet the appetite for more, as vaguely indicated by the hon. and learned Member for Derry. But we are told by some that the endowment is corporate property, and that, because it was given to a national Church, the State has a right to do what it likes with it. I think that argument has been already sufficiently answered. It does not belong to you now, it never did, and, in fact, you admit this by bringing in a Bill to take it from those to whom it does belong. I saw it stated in one of the great organs of public opinion that nothing was so easy as to prove that the public gave these endowments. Why are you then going to throw the onus of proof on the Church? I think it rests with you. Let us be free from the difficulty which you are going to impose upon us—a difficulty which my right hon. and learned Friend (Dr. Ball) explained when he alluded to the obstacles which stood in the way of producing title-deeds with respect to these endowments. I will not go back to the time of the Reformation, or discuss with the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Sullivan) the question of how many Bishops conformed. On that point I will merely observe that I think it has been abundantly proved that, instead of only one Bishop having gone over, as he stated, they conformed in large numbers, with what sincerity is not the question. Passing by, however, the pre-Reformation endowments, but by no means renouncing the right to them, I wish now to say a word on the post-Reformation endowments, which were clearly meant for the Church as it is, and I would call the attention of the House on this subject to a few words of Mr. Shirley, one of the Commissioners, who ought to be well-informed, and who says—

> "In conclusion it may be said that of the original patrimony of the Church before the Anglo-Norman invasion but little remains, and that little consists solely of lands. Of the tithes and lands granted to the Church between the eras of the invasion and the Reformation probably the whole of the lands, and one moiety at least of the tithes, are in the hands of the laity, having been dissevered from the Church at the fall of the monasteries in 1536. Of the remaining property of the Church,—namely, the glebe lands, no less than five-sixths were granted to the Reformed Church since the Reformation; the same may be said of the Bishops' lands in Ulster which were granted in 1609. It is evident, therefore, that the Church at the present time, is in possession of much smaller endowments than she was once entitled to, and that a large proportion of the remaining endowments have been acquired since the Reformation."

I think my hon. and learned Friend

the Member for Richmond (Sir Roundell Palmer) has shown that you cannot make a distinction in the case of these endowments, between those given by private persons, by Kings, or by the State. They all go into the same property in the bulk, though they may be severed in this sense that there are a number of corporations, for the purpose of handing them down in the several districts to which they are appropriated. They, nevertheless, yet remain the property of the whole Church, and as such have been recognized by various Acts of Parliament. Here I am bound to say that, in my opinion, the argument of my hon. and learned Friend the Member for Richmond went a little beyond the point at which he stopped. I think that his arguments in favour of these endowments cover the Bishops' property in Ireland, and the property in those parishes which have not 200 members of the Established Church in them. All I take to be part of the property of the Church as a whole, though it may be applied to the purposes of different districts. I shall not enter at length into that point on which my hon. and learned Friend dwelt with such force—I mean the vested interest of the laity. No one who heard his argument can, it seems to me, doubt that it is mainly for them that the property of the Church exists, and that for them it ought to be preserved. I come now to that which appears to be so beloved by my right hon. Friend the Chancellor of the Exchequer — the voluntary system. So much does he regard that system that, even in the case of the meteorologists of Scotland, my right hon. Friend will not give a single farthing, trusting to meteorological enthusiasts by the voluntary system to afford them the necessary support. Now, I am by no means going to attack that system. It has done wonders both in England and in Ireland. I trust that it will accomplish even still more, for with all the appliances which the Established Church may possess, there are numbers whom it cannot reach, and with a greatly increasing population growing up around us, the difficulties of its position are becoming daily more and more apparent. The voluntary system has not done, nor can it do, all that is required alone. But are there no legal and moral impediments to your resorting to it in Ireland?

I am now about to touch on a point which to many persons may seem antiquated and absurd. It does not belong, perhaps, to the class of subjects which engage the attention of philosophic inquirers; yet I feel called upon to speak of it, if not as an impediment in itself, yet as calculated to operate as a moral impediment in its effect on the feelings of those with whom you are about so rudely to interfere by your legislation. You are anxious, you say, to secure the peace of Ireland, and you are dealing with 700,000 persons, besides a large number of Presbyterians and Methodists, who are deeply interested in the fortunes and prosperity of the Established Church. You are therefore dealing with a very large, influential, and thoughtful class of persons, who are sensible of their rights, and anxious to maintain them. In speaking, then, of the Act of Union, I must speak of it as they look upon it. They regard it as an Act guaranteeing to them their rights in the position in which they now stand, for at the time of the passing of the Act the Church of England was, as it is at the present day, the Church of the minority. Well, that being so, you are now about to change the Act of Union. When, last year, I said that an eminent lawyer told me that in taking this step you would be *ipso facto* repealing that Act, by doing away with that which was an essential part of it, and that it would be necessary to introduce a saving clause into your Bill, the statement was ridiculed by those who now sit on the opposite side of the House. But, how does the Bill under discussion actually stand? Why, have not eminent lawyers advised you to insert in the Bill a clause, stating in substance that it only affects the Act of Union so far as the two Churches are concerned, and saving it in other respects? When, therefore, the right hon. Gentleman the President of the Board of Trade says that you make no change in the Act of Union by your measure, I point to the clause introduced by yourselves to show that that statement is not exactly in accordance with the fact. Has time altered the position of things since the Union? Suppose a Bill of this nature had been brought forward within five or ten years after the passing of the Union, what would have been said? Would it not have been denounced as a gross breach of faith?

Would it not have been described as a violation of the treaty of Union? Would it not have aroused great indignation throughout Ireland? How has the state of things altered since that time? The Church has had longer possession. She has been year by year changing her condition, because Churchmen have been spending their money upon her, they have been educated for particular positions within her, they have done everything to show that they rely upon your legislation. When, therefore, you now turn round upon them with such a measure as this, I say that in their view—and I am speaking now from their view—they have a right to say that you are committing upon them an injury, and, instead of causing peace you will be arousing irritation and exasperation which will not be easily allayed.

Now, one word with respect to another subject upon which I speak with great reluctance, and, I trust, with becoming delicacy. I say that in this Bill, in order to avoid all difficulty hereafter, in order that there may be no misleading of the public mind, that the public may not think you are doing that which is contrary to what the Monarch of the country is obliged to swear, you should have taken steps to alter the Coronation Oath. I do not at all say that the nation cannot absolve the Monarch from an Oath which is taken as between the nation and the Monarch, but that Oath, as it stands, places the Monarch in a most invidious position. I ask any one to read the Coronation Service, and see what a formal and elaborate Oath is imposed by that ceremony —an Oath which, taken in its literal sense, may mean that no action should be taken by the Sovereign at all, either in her legislative or in her executive capacity, to interfere with the property or rights of the Reformed Bishops in Ireland or England. I say that that is an opinion which has laid hold of the minds of the people of Ireland, and it would have been far better both for the present and the future that some notice should have been taken of it, and that the Oath should have been abrogated by those who are desirous to act in contravention of its supposed intention, in order that no Monarch hereafter may be placed in so invidious a position. I pass from that. Much has been said with respect to a disinterestedness of the Roman Catholics in Ireland, and we are told that they ask for nothing. That is not absolutely the case, for there are some who would be glad to get something. The hon. Member for Mayo (Mr. G. H. Moore), for example, said that if the money were ready there would be plenty found to take it, and I have a shrewd suspicion that that is the case. A very excellent Roman Catholic Bishop has written a letter, full of eulogy of the right hon. Gentleman opposite, in which he has dropped certain hints which I think may be construed into something like what the hon. Member for Mayo spoke of. Bishop Moriarty is evidently very much annoyed that there should be any prospect of the commutation of the life interests of the clergy. He said—

> "What need is there of the commutation of life interests? Is not this a wilful waste of a large portion of the national property? Suppose, however, that you thus create a re-endowment out of the property of the Irish Church. Will you have heard the last and latest of the question?"

It is obvious that he desires the income of the Church to remain as a reserve—for whom? Again he adds in reference to the Church Body—

> "It should be noted that there is no such corporation in the Irish Catholic Church, and that for the possession and transmission of property we are obliged to have recourse to trustees. If this disparity continued, we should consider the Protestant Church specially protected by your law."

These opinions show that grievances are prepared for future use; but listen to the language of another Bishop, though not an Irish Bishop. Bishop Goss—Bishop of Liverpool, as I believe he is called—speaks much more openly on the subject. He said—

> "That he could not for the life of him see how the Prime Minister could, with any show of justice, allow the Irish Church, on ceasing to be established, to take away with it whatsoever it might have acquired by private benefactions since the date of its establishment, and yet should refuse to give back to the Roman Catholics the property which came to them by private benefactions, and of which they were despoiled and robbed at the time of the Reformation. It was said that the Catholics did not wish it, but that was not the question; justice was justice, and they might rest assured that if men under the influence of good feeling had for a time declined to receive it, they would eventually be free to consider the justice of accepting it. Besides the present Bishops, the clergy of Ireland had only a life interest in the property; therefore no act of theirs could bar a just claim which existed on the part of their successors; hence—he did not speak

as a politician, but as a simple man—he did not think it was a just measure; for if the Prime Minister respected private benefactions since the Reformation he ought also, in common justice, to respect private benefactions made prior to the Reformation."

It appears, therefore, that some of the Bishops would be very glad to obtain this money. And now is it not a fact that establishment of religion is a thing which the Roman Catholic clergy and laity consider a duty on the part of the State, and the advantage of which is a right on their part? Has this not been expressed by the head of the Roman Catholic Church in the strongest terms, and is it not avowed in all cases in which it can be safely avowed? Therefore, though a common jealousy of the Church now unites the Roman Catholics with sectarians against us, I cannot help feeling that there must be at heart among the Roman Catholics a feeling that in assisting to destroy Establishments they are making a precedent which may one day act most injuriously against themselves. But we have been told that we have no right to think that the effects of this measure will extend beyond Ireland. Well, when we hear some of the speeches made in this House, we might well distrust such a statement. But what of speeches outside? What have we to say of Wales? An hon. Member has spoken to us of Wales, and we know how many have spoken outside this House on the same subject. I could have wearied this House with most wonderful extracts of speeches of ministers and others in Wales, who speak with all the glowing language of the Principality, and express intense hatred of the Church, desiring to throw her down as strongly as anybody in Ireland can desire it. Here I must turn aside for a moment to a personal question. The hon. Member for Merthyr (Mr. H. Richards) referred to a speech which, three or four years ago, I made upon church rates, now abolished. I can only say that in then stating that money was borrowed for the purpose of building chapels in Wales, I spoke on information received from a gentleman of high authority, and who, I have no doubt, would be ready to stand by what he said. As I only heard the hon. Member's denial of this statement last night, I have had no opportunity of looking for papers or making investigation so as to give a satisfactory answer. But if he, being thoroughly acquainted with Wales, tells me that no such thing exists, I am ready to withdraw the statement, and am sorry that I have been misinformed. You say that the Irish Church is a hindrance to the spread of Protestantism. Do you think that your Roman Catholic allies are of that opinion? Do you think that the Irish Church forms no obstacle to the spread of Roman Catholicism? Do you imagine that the language used by you and by the Dissenters represents accurately the feelings of the Roman Catholics on this subject? If the possession by the Church of the endowments constituted a real impediment to her action the Roman Catholics would be the last persons to desire to take them away. The hon. Member for Swansea (Mr. Dillwyn) argued that the Church was a mere department of the State, and that you have a right to deal with the Church as you dealt with the municipal corporations. Well, how did you deal with the corporations? You took the property from the old corporations, and gave it to the reformed corporations. You dealt with them exactly in the same way as the Church was in a former day dealt with—that is to say, the property, that is, the pre-Reformation endowments, passed from the old institution to the reformed institution. The title in each case, then, is the same. There is a point upon which my hon. and learned Friend the Member for Richmond touched which may well be urged again, for it is of great importance. I refer to the case of the Dissenting chapels, the possession of which for twenty-five years was made an indefeasible title by Act of Parliament. Although the congregations in possession had changed from Trinitarian to Unitarian, a creed different in the most essential point from that of the founders of the chapels, legislation was actually undertaken to preserve the title to these buildings only held for twenty-five years. If such was the recent action of Parliament, does it not appear the strangest and most incongruous proceeding to take away from the Church in Ireland that which she has held for centuries, and to leave her only a part of that which she has had for the shortest time—namely, the private endowments most recently acquired? You say you are going to conciliate Ireland by this measure; but if that were likely to be the result, I should have thought that the time of hope would have been the moment when people would be more disposed to look at the bright side of things than the time of fruition. Well, during this time of hope how are the Irish people employed? I will not speak of Fenian meetings held by Fenians themselves, but what strikes me as a deplorable feature is that men who have dishonoured themselves, not only by disloyalty, but by the schemes of such diabolical cruelty as showed them to be the enemies of mankind—who, though their own hands may not have been imbrued in blood, have, nevertheless, been the associates of assassins—have been, on their liberation from imprisonment, received as heroes and martyrs. Do not tell me that such people will be conciliated by the sacrifice of the Irish Church, for, the very moment when you are making the sacrifice—when you have the knife lifted prepared to slay—these people mock you, and say—"This is what we have forced from you; this is what we have made you do; these are the fruits of the blowing up of Clerkenwell." The right hon. Gentleman shakes his head, but he (Mr. Gladstone) made the "intensity of Fenianism" a ground for his course last year. I hold in my hand an extract from the *Cork Examiner*, in which an advertisement appears to obtain funds for the Fenian convicts who had been released. In it occurs the following words, which manifest the truth of my remarks:—

> "We would also remind those who look on the proposed disendowment of the Established Church as a boon, that—according to the statement of the present Premier—they are indebted to the Fenian movement for that tardy measure of justice."

This shows the encouragement to disloyalty given by this measure. I admit that the Irish Church, though it never was before mentioned as a popular grievance by the Irish people generally and still less by the Fenians, as has been strongly urged by Dean Stanley, may have been an object of animosity to the Roman Catholic priests, and perhaps to some of the higher classes of Roman Catholics. I have received private letters which confirm me in this opinion, and from one I learn that, in one instance, a Roman Catholic paid his tithe rent-charge in full, without deducting the charge for tithes and rates, and on being made acquainted with the mistake, he wrote back to the clergyman, stating that he was perfectly willing to pay as he had done, and that he looked upon him as a great advantage to the parish in which he resided. If it had been the case of an absentee nobleman who never appears in his parish, he added, the case would have been very different, for they owed nothing to the absentee. That is the spirit in which the Protestant clergy are regarded by the populations among whom they live. The President of the Board of Trade drew an halcyon picture of what was to follow the passing of this Bill, and he did not, as on a former occasion, qualify his observations by saying that more must be done before the prospects he depicted could be realized. Last year, in a speech of wonderful ability, he stated that dealing with the Church alone would not effect the objects he had in view. In a speech of the right hon. Gentleman at Edinburgh, in November last, he spoke still more strongly, and his language appears to bear most materially on this question. We say that if you carry out this measure in its entirety, in many parts of Ireland there will be such an effect that the Protestants will be entirely overwhelmed so that, being as sheep without a shepherd, they will either remove from their parishes or become absorbed among the Roman Catholic population. Now, mark what the right hon. Gentleman said, pointing to a corollary to this Bill—something that is to follow it. He says that—

> "In Ireland the land is not really in the possession of what I may call native proprietors or natives of the country, to a large extent. It seems to me to be an essential thing for the peace of every country that its soil should at least be in the possession of its own people. I believe that in Ireland it will be necessary to adopt some plan, and I believe there is a plan which can be adopted, without injury or wrong to any man, by which gradually the land of Ireland may be, to a considerable extent, transferred from the foreign, alien, or absentee Protestant proprietor,—transferred into the hands of the Catholic resident population of the country. I do not anticipate myself that until something of that kind is in process and in operation we shall find the tranquillity and content in Ireland, such as we would wish to see in it."

MR. BRIGHT: I explained that.

MR. GATHORNE HARDY: When? Last night?

MR. BRIGHT: Last Session.

MR. GATHORNE HARDY: The right hon. Gentleman said the other night—and I give him full credit for it—that he would do nothing that is not approved by the principles of political economy. And no doubt he would treat these proprietors as Isaak Walton tells you to treat the frog—as if he loved them. He would not do them an injury consciously. If he removed them from their property it would be done in such a way as, in his opinion, to cause no injury to them. But what I cannot help remarking on is the object that is presented to the excitable minds of the population of Ireland when the advocacy of their cause has been taken up with such enormous ability as the right hon. Gentleman has shown—when he expresses himself in this way, and confines the expression even of absentees to Protestant landlords, and the gift of their lands, in whatever way, to Catholic residents the impression which must be produced is that he is going to assist them in Romanizing Ireland. Now, we who know the religious opinions of the right hon. Gentleman know that that cannot be his object; but I say the language used, carelessly—recklessly, in some sense, I may say—has its effect on the minds of the population of Ireland, and leads them to suppose that something will be done for them that you never can in justice do, and therefore the failure of their hopes and wishes will lead to more discontent, to more agrarian outrage and hostility. Now, Sir, a great deal of exasperation exists already. Do not let me place undue value upon the language used by persons in a moment of irritation; but I see with great regret that language has been used and spoken by men of high position—dignitaries of the Church and others. Some have written letters, and some have made addresses, in which they look forward to the repeal of the Union as a mode of healing discontent and of redressing the grievances under which they labour. I regret that such should be the case. Now when I say that such and such results will follow from the action of the right hon. Gentleman at the head of her Majesty's Government, I am told—"You are suggesting these things and putting them in the minds of people, and for any injury to the Church of England you are responsible." [*Cheers.*] The right hon. Gentleman (Mr. Gladstone) I observe, cheers me. By whom were they told to distrust the English Parliament, and to go in for repeal of the Union? Who suggested to them it was useless to seek redress from the English Parliament? It was a most remarkable thing if this were done by the right hon. Gentleman at the head of the Government. It is a very remarkable thing, because he has both written and spoken in that sense. He wrote this, moreover, in no state of exasperation. He did this in the first place when he was writing a book, again when he published a third edition, and again in his place in Parliament. The right hon. Gentleman might say, "Oh! I have repented of these things;" but still they have gone forth to the world, and remained, as far as the public knew, the opinions of the right hon. Gentleman, at least up to 1865. It is all very well to say that if we suggest these things and put them in people's heads we are responsible for them. In his work on *Church and State*, 3rd edit., p. 79-81, he says—

> "A common form of faith binds Irish Protants to ourselves, while they, on the other hand, are fast linked to Ireland; and thus they supply the most natural bond of connection between the countries. But if England by overthrowing their Church should weaken their moral position, they would no longer be able—perhaps no longer willing—to counteract the desires of the majority tending under the direction of their leaders—however by a wise policy revocable from that fatal course—to what is termed national independence."

In his place in Parliament on March 31, 1835, he says—

> "The noble Lord (Lord John Russell) invited them to invade the property of the Church of Ireland. He considered that there were abundant reasons for maintaining that Church; and if it should be removed, he believed they would not long resist the repeal of the Union, and then they would become fully aware of the evil of surrendering the principle which the noble Lord asked them to give up."

These were the suggestions of the right hon. Gentleman, that what was going to be done would cause the people to cry out for national independence. That very result may happen. You cannot deal with people in a moment of great excitement as if they were chessmen, or as if they were people without passions or affections, for they may be hurried by that excitement into the utterance of words and commission of acts which they would deprecate in their cooler moments. And you may give rise to a cry for a repeal of the Union, backed up and sanctioned by those who have hitherto supported you. We said in the Address in answer to the Speech of Her Majesty, that we would endeavour to secure the action of "the undivided feeling and opinion of Ireland on the side of loyalty and law." Now, it does not seem to me that we are making a very good business of it at present. We have before us a measure of a "sweeping and severe" character, advocated in such harsh and unsympathizing terms by the right hon. and learned Gentleman the Attorney General for Ireland (Mr. Sullivan), spoken upon with such cold indifference by the right hon. Gentleman the Chancellor of the Exchequer :—I ask is there anything in the details of the Bill to modify or to soothe the feelings of those who consider themselves aggrieved by its operation ? We have always heard that the best thing you can provide for an enemy is a golden bridge by which he can make his escape. By those who spoke last year on this subject we were told that the Church was to be treated with generosity. But I ask now whether, from end to end of the Bill, there is anything that in any sense represents the golden bridge of which I have spoken ? You deprive the Irish Church of everything. As the right hon. and learned Gentleman the Attorney General said—"This is a Bill for disestablishment, not for giving them anything ;" and the Chancellor of the Exchequer stated—"We deal with them liberally," but he was careful to explain that liberality of Liberals by no means means generosity. So much has been said upon the different points of the Bill that I will not attempt to discuss them. I will run them over rapidly. You give us the life interests—that you admit is the barest justice ; but you combine with these conditions of the most arbitrary and inexcusable character. You endeavour to stereotype the Church of Ireland so that she cannot possibly move to benefit herself. But that is not the course which you take in the case of the life interests of the Presbyterian ; he may remove where he likes, and take the money with him so long as he works for his Church. In the Church alone the clergyman is tied to the spot where he is placed, and you cannot remove him. Take the case of any particular man—a rector, say, of a parish, receiving £300 a year. You secure to him his salary for life, provided he remains there and performs the services ; it may be, however, that he would be much more beneficially employed in the neighbouring town or parish, but he cannot go there without losing his annuity, which is taken from him the moment that he leaves. You therefore tie him down, as you tie down the curates also. What happens in their case ? You give to them—I can hardly call it a life interest, but such an interest as you think they should have, and you give it to them on condition that they shall continue to serve in the same place ; that is to say, you make a compulsory marriage between the rector and the curate. If the curate remove or should happen to die, the rector who was generous enough to employ him to meet the wants of the district suffers still further : he is deprived at the same time of the money and the curate. I say that is wrong—it is a wrong done both to the incumbent, to the curate, and to the Church.

Now as to capitalization. Though there has been many an invitation given to the Members of the Government, not one of them has addressed himself to that subject. Not one Member of the Government hitherto, though their attention has been specially called to it, has ventured to shape out such a capitalization of the revenues of the Irish Church under this Bill as will leave anything to that Church when the life interests are paid up ; not a single fact has been laid before us which can induce us to form any such conclusions ; and therefore we must assume that the Church is to go out naked into the world, with nothing but that £100,000—which you call £500,000 — which my right hon. and learned Friend the Member for the University of Dublin (Dr. Ball) says the Church can really under the hard terms of your measure prove to belong to her. The churches, as shown by my right hon. and learned Friend, have had £600,000 of the private money of Church people spent upon them, in addition to what was spent out of the Church property ; and as you cannot possibly separate one part of the church buildings from another, it follows that you must give over the churches to the Church Body; but here again the gift is clogged with harsh and restrictive conditions. The right hon. Gentleman (Mr. Gladstone) also spoke—and in this, I will not doubt he meant kindly by the Church and the Irish nation—of certain national monuments, and of something which was to be provided for their maintenance. I do not know whether he meant that those monuments were to be handed over absolutely to the Church, or were to be handed over with any trust attached to them, or subject to any control or conditions of resumption. My advice to the Church would be—accept nothing unless it is given to you absolutely, without control and without power of withdrawal. This was what the right hon. Gentleman (Mr. Bright) said last year. He then told the House that what was given to the Church should be given in such a way that no vestige of control should be left to the State; no condition, no continuing trust —nothing that could be construed in any shape into a national endowment. Therefore, if you leave any fund to them, do it in such a shape that the Church may understand that the present Parliament mean to give it absolutely and for ever. I recommend the Church, if disestablished, to have nothing whatever to do with "national" property, because, as the nation has shown such an aptitude for taking what does not belong to it, it would be certain to finish by taking that property also which it would say did. I was much amused by seeing in one of the Irish newspapers that a parish priest, of considerable influence in his neighbourhood, speaks in such a manner so as to show how little you will gain by this measure, and how subjects are being reserved for future agitation. I have shown how two Bishops are reserving such subjects, and I will now show you how a parish priest is attempting to follow in their steps. In a letter written by the Rev. F. O'Reilly, he says—

> "A Protestant church indeed a national monument! There is an old tree near this town, upon which it is said the Croppies used to be hanged long ago, and not so long ago either. It might as well be allowed to stand on the ground of its being a national monument. Believe me, that any remnant of the accursed Establishment in the hands of Protestants will never be looked on as a monument of anything but ascendancy, oppression, and injustice."

Such are the hopes held out to the House by the parish priests, or, at all events, by this individual parish priest, of Ireland of what we are to expect when this Bill is passed. This priest tells the Protestant Church that "as soon as you have got possession of these churches I will endeavour to deprive you of them, because I regard it as a mockery to place any national monuments in the hands of the Protestant Church." Then as to glebes, we have heard from the right hon. Gentleman the Prime Minister that they may be purchased by the incumbents at their full value. Last Session the right hon. Gentleman said that the residences of the clergy, being inseparable from the churches, ought to be given upon the same conditions as the churches themselves. The right hon. Gentleman no doubt mean at that time to act graciously and generously towards the Irish clergy; but is it acting graciously and generously towards them to say that they may purchase the glebes at what is actually more than their full value? Look how you have dealt with Maynooth. This House some time since refused to pay the money for the repairs of Maynooth, the cost of which at the time was said to amount to £1,260 annually. The result has been that the College has got into debt to the amount of £20,000, and you are now going to pay that debt out of the funds of the Irish Church. I may say, without disrespect to the College, that this was a debt contracted in their own wrong, and contrary to the voice of Parliament, which said that it would not sanction such an obligation. You now intend to pay off this debt while making the Church buy up her own glebes, upon which the clergy have expended so much of their own money, at a cost of £232,000, or to pay for the sites upon which they stand. And this you call even-handed justice?

Now, Sir, the scheme for the purchase of the tithe rent-charge, I confess, is a puzzle that gives me a great deal of difficulty to comprehend. I do not affect to be a great financier; but, as I understand the scheme, a man is to obtain possession of £100 a year for ever by the payment of £100 a year for forty-five years. I do not wish to speak disrespectfully; but not being a great financier, it appears to me that by a sort of *hocus pocus* management, by entering something into a book, a man obtains a loan which he never gets, and pays interest which he never pays, and so he obtains at the end of forty-five years, £100 a year in perpetuity, without actually paying anything for it. Out of the £100 a year which he pays at present, £1 a year is to be sunk for forty-five years, at the end of which time the person who pays the money is to be relieved from further liability. Suppose you were to deal with a tenant in the same way, would it not be an ingenious method of enabling a tenant to purchase up his landlord's property? Now, suppose a tenant paid £100 a year rack-rent —and that you said, "You can pay the rent for forty-five years, your landlord making a sinking fund of it, and at the end of that time the land will be yours." I think that might be done by some of the gentlemen skilled in financial puzzles, and no doubt tenants anxious for fixity of tenure will remember this boon to the landlords. It appears to me that you are dealing unjustly in taking away from the Church what was intended for the service of God, and thus giving it to man for his own purposes. There is a question respecting rates now deducted from the tithe rent-charge which requires explanation; but it is a matter which, perhaps, it would not be worth while to go into now, and therefore I come to Maynooth. Now, with respect to Maynooth, I say that, leaving aside any prejudice with respect to its being a Roman Catholic establishment, or to its having been founded for purposes connected with religion, I cannot but express my opinion that you propose to treat Maynooth in a very different way from that in which you are about to treat the Established Church. There are in the College of Maynooth certain officers or professors who receive £6,000 a year. They may have a life interest; but can any one say that the students on the Dunboyne establishment, who receive £800 a year, and some hundreds of other students who are in Maynooth for only a short time have a life interest for which they ought to receive compensation? Why, it is a mockery; and, knowing it to be a mockery, something was held out in the shape of a threat to make the House consent to it. It was said in effect, "If you do not let us make this compensation to Maynooth, we must deal more harshly with Trinity College." Now, I do not want threats about the future; but I do want to know on what principle in this particular Bill life interests amounting to £6,000 a year are to be compensated for by £25,600 a year? I should like to know how that arrangement is consistent with the principle on which you propose to compensate the Church?—and I have no doubt the point is one to which the right hon. Gentleman will address himself. Then, you talk of a Church Body to take the place of the Established Church as a corporation, as if a Church Body was already an established thing in Ireland, and as if the Church there had not been maintained with the assistance of the State. You have forbidden to that Church convocations, synods, and free assemblies. Do you expect, then, that when this Bill passes, the 700,000 members of the Established Church will meet on the Curragh plains to elect representatives. They will have no power to bind a minority; they will have no power to bind the clergy. You leave them to their own devices I admit; but, giving them no power of binding any one, you call on them to be prepared as a corporation to deal with you in a few months. Why, nothing more difficult than the task you impose on them can well be imagined. I believe it is eighteen months—[Mr. BRIGHT: Yes, to the beginning of 1871.]—Very well. I believe the difficulty is one which cannot be easily surmounted; but it is one of those points which can hardly be discussed now, when we are dealing with the principle of the Bill, and I will pass on, especially as the matter was fully treated of by my hon. and learned Friend opposite.

And this brings me to the last point upon which I shall have to trouble the House. I certainly was rather amused, but not at all surprised, to find that the Chancellor of the Exchequer altogether abstained from saying a single word about the surplus. The right hon. Gentleman has lately been publishing his views upon endowments, and I cannot quite understand how it is that the right hon. Gentleman, who is gifted with such a tender conscience as to those with whom he acts, should agree in the proposal to make these new endowments, when he says that endowments contain within themselves the elements of failure and must bring down upon whatever is connected with them nothing but distress and confusion. We have heard the opinion of the hon. Member for Mayo (Mr. G. H. Moore), who can see nothing but probable waste and jobbery in what is now proposed. If these asylums are placed under local management, who does not know, when the money is found by others than those who are interested in these asylums, what sort of management that will be? I do not dwell upon the argument put forward by my noble Friend the Member for Middlesex (Lord George Hamilton) that in a great many instances you will be giving practically very large religious endowments. Into the question whether that is right or wrong I will not enter; but if, as I believe, that be the case, it is a violation of the pledges of the Government, and, instead of leading to harmony, can be productive of nothing but ill-will. But in this surplus there is a seizure for Imperial purposes. The State has paid for a great number of years the *Regium Donum* and the Maynooth Grant, and it is now proposed that these should cease, and that out of the revenues of the Irish Church £1,100,000 should be devoted to this new way of paying old debts. Now, is that payment of money for Irish purposes or for the relief of the Imperial Exchequer? It is absurd to suggest that such a payment is to be made for Irish purposes. And who is the author of this great scheme? It comes from a distinguished source. It does not belong to any Member of the Government, for it is the invention of a remarkable agitator, the great "Liberator"—it is the scheme of Mr. O'Connell, who suggested the plan in a letter which he wrote to Mr. Crawford in 1834, and which was quoted by Sir James Graham in the following year—

> "My plan is to apply that fund in the various counties in Ireland, to relieve the occupiers of land from grand jury cess. My plan is to defray all the expenses of dispensaries, infirmaries, hospitals, and asylums, and to multiply the number of these institutions until they become quite sufficient for the wants of the sick."

That was the plan of Mr. O'Connell, and that is the plan which the Government have now adopted. The right hon. Gentleman opposite was then acting in harmony with Sir James Graham, who remarked upon it—

> "That is to say that Church property is to be granted to the landlords of Ireland to enable them to do that which without confiscation they are bound to do by the law of humanity, if not by the law of the land—namely, to provide for the relief of their poorer brethren."

I do say by the course you are adopting you are virtually putting money into the hands of the landlords in Ireland. You are professing that the landlords, particularly the absentees, are the objects of your hostility, and something must be done to bring them to a better state; in the meantime, in order to pass this Bill, you give them this alleviation of the grand jury cess, and you also dry up the fountain of charity. I say when you are urging the adoption of the voluntary system, it is an unfortunate thing that the fountain of charity should be dried up by filling its place in this manner with money never intended for such charities, which never ought to be given to them, and, still more, ought never to be given in alleviation of that which, although it may be paid in the first instance by the occupier, is a charge upon the land. You have had it argued over and over again in this House, and I do not think the head of the Government will venture to say that in the result the county cess is not charged upon the land in Ireland. If it is, you are giving £8,000,000 in alleviation of that charge; and say you that that is just, either to the Church in Ireland, the people of Ireland, or anybody that is interested in the prosperity of Ireland? I now go from the details of the Bill in order to notice a point which I cannot pass by: it is the question of the principles which are laid down in this Bill as affecting the Empire generally. We have heard to-night a definition of religious equality; we heard many definitions of it last year; and practically they come to this—that no man has a right, as far as regards any political privilege, or civil privilege, or social privilege, to have anything given him by or preserved to him by the State which his fellow has not, whatever his religion may be. Well, I say it is impossible to confine that to Ireland—it is absolutely impossible. I know we are told when we say this we are bringing down upon the Church of England the very destruction which we say we apprehend; but it is impossible to fix the blame of that upon us. You may as well say that anybody who prophesies that a storm will follow a certain state of the atmosphere is bringing it upon himself. It is a consequence which follows this cause which you have put in operation, and which follows inevitably. If principles are applied to legislation for other parts of the Empire they cannot fail to be applied here, nor are there wanting here those who have avowed they will apply them. Hon. Members for Wales are eager to apply them, plenty of hon. Members for Scotland long to apply them, and in England there are those who hate any privilege, who are anxious to see those who are above them levelled in the dust, and who would pull down the Church of England with the greatest pleasure. I could quote Members of this House and newspapers in support of that assertion. A gentleman whom I quoted before, who is against the Irish Church, who wishes it to be dealt with much, though not exactly, in the same way as the right hon. Gentleman is dealing with it—Dr. Andrews, Vice President of the College at Belfast, whom, though I do not agree with him, I admire for his vigorous, terse, and pointed writing, says—

> "The defenders of the Irish Church may justly complain that the artifices of party have never been more freely used than on this occasion. The Church of England has been assured that, living in the affections of the English people and commanding a majority of the inhabitants, she has nothing to fear from the removal of such an excrescence as the Irish Church. No one can value more highly than the writer the services rendered by the Church of England to the highest purposes of humanity, nor is anyone less anxious to disturb so grand and noble an edifice. But the course of events is inexorable, and the equality of all men in the eye of the law, irrespective of religious belief, is manifestly incompatible with the existence of a privileged caste. . . . The Established Church of Scotland is in some respects scarcely more defensible than that of Ireland. When the Irish Church falls, the days of the Scottish Establishment may easily be numbered. To declare that the fall of the Irish branch will not affect the stability of the Church of England is manifestly absurd; the arguments adduced in support of this paradoxical assertion carry weight with none except those who are willing to be deceived. There are stratagems in political as in actual warfare, and to lull the defenders of an ancient stronghold into false security by pacific assurances is the usual precursor of an intended attack. The party of action finds it convenient to suspend operations in England while their new allies require aid in the campaign they have opened in Ireland."

In this I heartily concur; but, Sir, the issue becomes an awfully momentous one. Its results cannot, as I have said, be confined to Ireland; and, therefore, though I feel warmly as an advocate for that part of the Established Church which is situated in Ireland, I necessarily feel far more deeply interested in that part of the United Church of England and Ireland which does so much good in my own country. If it should happen that the disestablishment and disendowment now sought for should ensue, I foresee continual contests upon the painful subject of still further disestablishment. I foresee interminable discussions upon this subject in the House of Commons, which will give rise to irritation, exasperation, and bad feeling in the belief that we who have the privilege of an Establishment are hostile to the Dissenters, no matter that they are in no way injured by that Establishment enjoying the privileges which it has without any oppression, interference, or intolerance towards them. We are told we should trust in our cause, in the truth, and in all that we believe to be good in the Church to which we belong. Sir, I have never heard yet that you could fix the time at which a Church is to be prosperous, or at which it will arrive at the establishment of those truths it may profess. There may be many difficulties and trials through which it has to go, and although it is true, as my hon. and learned Friend has said—"Truth will prevail in the end," yet we inquire when is the end? If we wait for this end, sure of its coming, it is not the less our duty to use those human aids and means by the withdrawal of which you may be in the mean time impeding the usefulness of our Church, and be detracting from its ability to do its work upon earth. You are even now inviting it to controversy about its temporalities instead of assisting it as you could. Many of you differ from the principle of its constitution; can you not differ without interfering with its operations, and leave it to its noble work, in which it was never more earnestly engaged than at present, the work of evangelizing the great masses of the people, too poor to build churches for themselves, too poor to be reached by your voluntary system, because they have not means to pay for pastors to live among them? Well, you have been decrying the Church in Ireland on the ground of inefficiency, and some have been speaking of the efficiency of the Church of Rome in Ireland. I will not speak of it as the Church of Rome. It is a Church, whatever may be its creed, acting with vast influence in Ireland. We were told by the Attorney General for Ireland that in the South of Ireland he could show us examples of devotion on the part of both priests and people such as we had never seen elsewhere. I believe him, indeed I have seen what he has described myself. The signs of devotion are unmistakable; crowds assemble round the chapels, great numbers are hardly ever absent from them; the priests are among them, and have enormous influence over them; but has this influence, I am bound to ask, been exercised in the way in which it should be exercised? What means this general sympathy with crime, and the abettors of treason? In a case we heard of with sorrow in former days—the case, I think, of an attack upon the Rev. Marcus Beresford, who was fired at in his gig; having been missed the clergyman pursued the would-be assassins, but they threw off their coats in their flight, and were received by a crowd of worshippers coming from the Roman Catholic chapel, who all pulled off their coats in order that the guilty should not be discovered. Sir, though that may not be done now, yet what has been done? Does anyone believe that the perpetrators of the murders which have recently been committed in Tipperary are not known widely among the population? I speak it with sorrow, and in no degree in anger, but I lament with the deepest sorrow that the influence of the priests should be so little with these men—who come to their devotions, who kneel to them at confession, who are under their influence so much in other matters, that they should either sympathize with crime or conceal it—some of them having been witnesses of it and not revealing it, as they ought to do. I do not say this without warrant. I quote the words of a Roman Catholic Judge, Baron Deasy, pronounced in Tipperary not a month ago, in 1869, this year. He mentions several murders undetected and unpunished—

> "So far as I can form any opinion, this failure of justice seems to arise from one of three causes—sympathy with the offender, sympathy with the crime, or terrorism which closes the mouths of witnesses. The present state of this riding presents a sad contrast to its condition on my former visit to it. Then tranquillity appeared to exist, but now it appears that beneath the surface there lies a spirit of lawlessness and turbulence which has developed into open crime. I cannot tell to what we have to attribute this turbulence (not distress or pressure—harvest abundant). There are no wrongs unredressed."

Well, the cause of these crimes is not found in the Established Church—that Church which you are about to take away in order to restore tranquillity. They arise from something deeper and more lasting. They are found in that which began, not since the Protestant Church was established, but since the Celt and the Saxon race came into collision in Ireland, perhaps, long before. When the Church within the Pale was Roman as well as the Church without the Pale, I believe there was the same animosity, the same hostile feeling, between the two parties as exist at the present moment. Now, do you think by what you are proposing to do that you will get rid of that state of things which has been described by Baron Deasy in Tipperary, which has been confirmed by what has occurred at the election of Drogheda, as noticed by Mr. Justice Keogh, and in Galway, though not to the same extent? Do you think that what you propose will serve the interests of religion? I do not want to decry the Bishops and priests of Ireland, but I ask you does it subserve the true interests of religion in Ireland that from the altars, in the middle of what they consider the most solemn sacrifice of the Mass, election addresses should, by order of the Bishop, be delivered to the multitude? Can these things be done without giving a stimulus to discontent in the minds of the people, especially when accompanied by language alike strong with respect to the Church and to the land, such as misleads the people into the belief that they have grievances unredressed, though the Judge, in his solemn and impartial position, says there are no wrongs unredressed? Are you going to conciliate Ireland by giving a triumph to one party and by exasperating the other? Is it in this way you expect to secure "undivided loyalty and allegiance?" Is it in this way you think to bring Ireland to a peaceful condition? You say that because the endowments of the Church in Ireland have been for centuries alienated from the Roman Catholics they have never forgotten the wrong, that it rankles in their breasts, and prevents peace and tranquillity from prevailing in Ireland, and yet in the same breath you propose to those who have had these endowments for 300 years, who believe that they have a right to them, that they have been guaranteed to them by treaties—sanctioned by Acts of Parliament—sanctioned also by the language of the first Statesmen of this country, by those who have filled the highest offices—sanctioned also after the Emancipation Bill by the oaths of prelates, by the declarations of canonists, by the oaths of Members of Parliament—now, I admit, abolished—in trust that they would feel something of what they had professed on former occasions—you propose to sweep all these things aside and to make naked and desolate the Church which you have placed in that position. I look in vain in the speeches made at those meetings where the wrongs of Ireland are dilated upon for a statement of those wrongs. I find only a funereal wail over the departed greatness of Ireland, a greatness which never existed, and over the glories of Ireland in the Dark Ages, which glories were never seen. That sunburst, if it is meant to represent the glories of Ireland in former days ought rather to be the burst of a shell, which was scattering devastation and ruin in every direction, for that was the state of Ireland at that time. Then they go back to the Penal Laws,' but those wrongs have been redressed. What, in point of fact, is it that those speeches complain of? The complaint, and it is made in every speech, is that which was whispered to us tonight by the hon. Member for Tralee (The O'Donoghue) — it is of Imperial legislation, and what they want is that Ireland shall be free from what they term the domination of England. If you ask what their needs are, that is a very different thing from their grievances. Their needs are absolutely little. What have we in England? We have absolute freedom of speech. Well, they have it in Ireland; yes, and with a license such as is not exhibited in this country. Is there any honest act which cannot be performed in Ireland as freely as in England? Is the Press free? If not, I do not know what licentiousness means. Trade and commerce are as free as in England. In times past there were wrongs connected with trade and commerce; but there is now absolute freedom. Manufactures flourish now in places where they did not flourish before. Look at the commercial activity of the North of Ireland, and I do not see why Cork and Limerick, and other cities in the South, if the people were only quiet and peaceable, should not present the same gratifying spectacle as Belfast and the towns in the North: manufactures, industry, everything is free. Is agriculture improved? We know that it is. All the Returns on the table show that it is. What does that indicate? That habits are improving. Peace, tranquillity, freedom from agitation, good habits of industry for a few years — these things would do far more good than this insane and revolutionary measure. I say also that there is absolute religious freedom. You say there is not absolute religious equality. I grant it you. Any man who holds that there ought to be an established religion connected with the State must admit that it is in a different position from creeds that are not established. But in what way does that interfere with your religious freedom? Or how, again, does it interfere with your social equality? The Roman Catholic gentry in Ireland mingle on equal terms with the Protestant gentry of that country; although unfortunately in some instances, where the squires have been living on familiar terms with the Roman Catholic priests in their parishes, there has intervened a shadow from without, not Protestant but priestly, or from episcopal or some higher quarter; and the parish priest who would gladly hold familiar intercourse with his Protestant neighbour, has bowed and passed him coldly by, regretting that he has had orders not to continue on such friendly relationships. I say, Sir, that the danger which you are incurring is the danger of yielding to sedition and clamour. That is the danger. It is misleading to the people of Ireland. You are raising hopes which you can never satisfy. Well, the right hon. Gentleman opposite (Mr. Bright) said he trusted the time would come when I should recant the opinion I expressed and see things in a brighter light.

Sir, if I believed that the measure on which we are engaged or that the measures which the right hon. Gentleman recommends us to follow it with, would bring peace to Ireland, that they would unite sections so long divided, that they would enable religion to be inculcated without at the same time inculcating violence and acrimony — if all these things could be done, I should indeed begin to distrust the opinions which I have expressed. As the prophet who said—"If thou return at all in peace" admitted that in that event no prophetic voice was uttered by him, so I say that if peace ensues—although I do not think there is any chance of its ensuing in my time—but if peace should ensue from these measures, then I shall be wrong in the opinion I have expressed, and I shall also have wronged those who have been instrumental in promoting them. I have not endeavoured to quote passages to show that any one differs now from the sentiments which he may have formerly uttered. I will try to believe, I wish to believe, that those who have engaged in a work so great, so awful as this must have measured the task before they undertook it, and cannot have undertaken it in any party or any mere captious spirit. I trust they are doing it from a higher and nobler motive. I will believe that is the case. I trust they will also give us credit—although we may not be among those whom they speak of as thoughtful and philosophical—for real, and sincere, and genuine feelings on behalf of the institutions which we seek to defend. Sir, if that peace should occur in my time, following and consequent upon this measure, I trust I should have the candour to say that I believed it. I do not expect that I shall be called upon to do so; but when I find that by this Bill the principle of Establishments is destroyed—when I find endowments, which I believe are sacred to the service of Almighty God, given to purposes for which they were never intended, and taken away from those who have done no wrong and who have left nothing undone that justifies the perpetration of such an act—when I find, as I believe, that division and strife are imminent, that you will exasperate those from whom you take them, and that those who are exulting in the deprivation of others will themselves not be satisfied with what you do for them—when I see good reason to fear that oppression and isolation await many of my poor Church brethren in Ireland—when (as I know has happened in districts in Canada) Protestants are likely to be obliged to retire from amid the dense Roman Catholic population around them, or when left, without clergy to look after them, be absorbed in the Roman Catholic body—when, as I believe also, distrust in English legislation will be created in the minds of all, and especially in the minds of the possessors of property in Ireland, and that, at the same time, a hope for things which English legislation never can do will be excited in the breasts of others—then, I say to myself, that I accept the responsibility which the right hon. Gentleman has imposed upon us all in the opening of his speech on the 1st of March; and, believing as I do, that, to the best of my judgment and to the best of the light of my conscience, that this Bill is alike wrong in the sight of God and against the interests of my country, I do not hesitate to denounce and oppose this sacrilegious measure.

MR. GLADSTONE: Mr. Speaker, I think, Sir, that both sides of the House must be agreed at least in this—that the right hon. Gentleman who has just sat down has drawn a picture of the state of Ireland which is equally remarkable and deplorable. The right hon. Gentleman's picture consists of two parts. On the one side he looks at the system of law, government, and institutions in Ireland, and there all is well. On the other hand, he looks at the people of Ireland—at the religion of the people of Ireland, at the relations between the people of Ireland and the ministers of their religion, and there, unfortunately, all is ill. Mr. Burke said in one of his memorable compositions that he did not know how to bring an indictment against a nation. For bringing an indictment against a nation commend me to the right hon. Gentleman. Irish grievances—where are they? The right hon. Gentleman says he looks in vain for the grievances of Ireland. On the state of land tenure the right hon. Gentleman has nothing to say, except to indulge in criticisms on the language of my right hon. Friend the President of the Board of Trade. With regard to the Established Church of Ireland, though theoretically it may involve some departure from religious equality, has he not proved to us that it is a great blessing to that country? Has he not told us, grossly, as I think, though no doubt unintentionally, misinterpreting the terms used by a Judge, that in Ireland there are no wrongs unredressed? And yet what does he complain of? Of the wholesale sympathy on the part of the great part of the population with Fenian agitators and criminals. Of sympathy, not only with political, but with private crime; and in the relations between the people and their clergy the right hon. Gentleman can see nothing but influence misused. This is the state of things which he depicts as existing in Ireland; and I ask him, where are his remedies? The picture which he presents to us is, so far as the Irish people are concerned, nothing but a picture of black despair. He speaks of promoting the repeal of the Union, and because some clergyman in Ireland, dignified, it appears, by the title of archdeacon, has lately become a Repealer, the right hon. Gentleman, searching for the cause of this strange opinion, thinks it can be found nowhere except in a line and a half of a speech delivered by myself some thirty-three years ago. There are, however, I would remind him, other modes of promoting a repeal of the Union, and of these no mode is so cogent in its effect in tending to bring about what I, for one, must regard as so deplorable a result, as that which is made use of by an English Statesman who gives us such highly-coloured statements with respect to the condition of the Irish people, as to the origin of which he has, it seems to me, furnished us with a most inaccurate account. By leaving on record his charges against the Irish people with his vindication of the Government and laws of this country, he does, I cannot help feeling, all that in him lies to drive that people to despair. The right hon. Gentleman reminds us that the Fenians have not asked for the abolition of the Church in Ireland. No, that is very true; so far as that goes, the Fenians and the right hon. Gentleman are exactly in the same position. [“Oh!”] In precisely the same position, I was about to say, with respect to that demand. I hope I was not understood as imputing it to the right hon. Gentleman for a moment that he does not support the Irish Church Establishment from the most honourable and conscientious, though I think, mistaken motives. The Fenians, differing from him entirely in their views with respect to that Church, are the very last persons to demand its abolition, because it serves their purpose that it should remain as it now stands. Whatever serves to estrange the minds of the Irish population from Imperial rule, British sympathies, and from their Protestant fellow-countrymen on both sides of the water, is of all things the most precious part of the Fenian stock-in-trade, and it would ill suit their purpose indeed to ask to have the Church in Ireland abolished. The right hon. Gentleman at the commencement of his speech vindicated, as I thought, with perfect propriety, his right to overlook, that is to go back beyond, the occurrences of the last twelve or fifteen months, to argue this question as if it were a new question, as if there had been no vote of the last Parliament, as if there had been no declaration of the national conviction at the election, as if there had been no resignation of the late Government, no abandonment of Office by the right hon. Gentleman himself without soliciting the judgment of the House of Commons, because the opinions and principles on which he sought to govern Ireland, and which he has set forth with great force to-night, were opinions and principles which he knew could not be accepted by the country. I might, indeed, say, as far as the right hon. Gentleman is concerned, it appears, after all, that the appeal made the other night by my right hon. Friend the President of the Board of Trade was utterly vain—for, with respect to the right hon. Gentleman, there is no Irish crisis and there is no Irish question. All he says we want is a few years of peaceful industry, as though peaceful industry can be adopted at a moment's notice by a whole people; or else, if not so adopted, the entire responsibility of the want of it, and of the evils that may ensue, rests with that people itself, and in no respect with those under whose tutelage, under whose care, and under whose Government that people has been for the last 600 years. Upon this point the right hon. Gentleman has materially retrograded. For him there is no Irish question now, but surely there was an Irish question last year when he was a Member of a Cabinet sitting upon this Bench, and heard in silence the speech of Lord Mayo, also a Member of that Cabinet, in which Lord Mayo asserted the gravity of this Irish question, and did not tell us that we were to bring home to the door of the Irish peasant, and there leave, the whole charge of the evils and mischief with which Ireland teems. Surely there was an Irish question when the right hon. Gentleman heard Lord Mayo tell us that he thought the state of the land question so grave that he should introduce a Bill on the following Monday—though unfortunately we never saw the Bill—giving to Irish tenants compensation for their improvements; and when, with respect to education, he told us that the time was come when it would be well to found a Roman Catholic University, supported from the Consolidated Fund; and when, thirdly, with respect to the Church question, so far from seeing that happy, beneficent state of things which the right hon. Gentleman delights to contemplate, he said that there were serious evils, that the absence of religious equality was a grievance, and that there would be no objection to remove that grievance and that religious inequality, provided it were done by the endowment of new Churches and not by the disendowment of old ones. I am sorry to remind the right hon. Gentleman in this somewhat pointed manner of the difference of his conduct now, when he is loosened from the trammels of Office, and enjoys the freedom of Opposition. The right hon. Gentleman, having recovered his freedom, makes a very liberal use of it, for he seems to think that he has nothing to do but to state that if there have been any evils connected with the people of Ireland they have been removed long ago, and that it is invidious to lead us to believe that any of the evils remain, and further that if, in fact, there are any evils remaining, no part of the responsibility rests with us, and that the whole responsibility is upon the shoulders of the people of Ireland and of her clergy. Our situation, certainly, is broadly different from that of the right hon. Gentleman. He draws this hopeless picture, and for it he does not offer even the shadow of a remedy; but he hinted that he had a right to assume that some measure would pass to put the Church Establishment in Ireland in a satisfactory condition. If I may say so without offence, I think that this is a most audacious assumption to be made by a public man. Not to cite any measure, carefully to avoid identifying himself with its provisions, in no way explaining the propositions which he would have brought forward, making himself responsible for nothing, not having said so much as this—that evils of any kind would have been redressed by it, the right hon. Gentleman thinks that he is entitled to assume that a measure has been imagined and invented, and which, if he has imagined and invented it, he takes care not to describe, and that having been so imagined and invented would have been passed into a law, and that it would have had an operation which would be for the purposes of his argument and for those purposes alone. I think that I am justified in saying that the right hon. Gentleman offers us nothing. He has presented to us a sad and grievous picture; but I think it is so unjust to the people of Ireland as to amount to a libel on their character. He has nothing to suggest or promise by way of producing a better state of things beyond that salutary precept that he inculcates that habits of industry, and a uniform regard for the laws should be adopted by the people. Our position is very different. We do not see in the state of Ireland anything but the aggravated result of the inveterate mischiefs which raged with fury in these islands until within the last generation, and which, though abated in many and important respects, have left behind so much of painful and angry recollections, and so much also of actual difficulty and suffering and grievance—while as yet no sufficient attempt has been made to apply a remedy, that we have had reason to regard the condition of Ireland as a problem beyond our powers to solve. We have, of course, as the people of Ireland have, to lament, and as everyone has to lament in himself the corruptions, the impurities, and the weaknesses of human nature; but those imperfections have been found in equal proportion in their rulers, and it is an axiom in politics that where these inveterate mischiefs prevail, and have prevailed for centuries, the final judgment of posterity, and the sentence of just men will be that the chief responsibility lies where the chief power has been—with the rulers of the country, and with the classes possessing property in it. We, therefore, Sir attempt to propose a remedy, and that remedy the right hon. Gentleman knows must be proposed piecemeal. We cannot lay upon the table at one and the same moment all the measures for which the state of Ireland appears to us to call. We come forward, therefore, with a Bill for the purpose of disestablishing and disendowing the now Established Church of Ireland. Of course, it was to be expected that the right hon. Gentleman would be merciless and unsparing in his criticisms on the details of the Bill. I am sorry it has not been better understood. He complains, for example—and that was the main head of his complaint—that the annuities we offered to incumbents are accompanied with conditions of service. Has he inquired of his friends in the Irish Church how they would have liked that those annuities should be absolutely given? No, Sir, he has not; at least, I will venture to say he knows not the sentiment in the Irish Church on the subject. But it has been our duty to make inquiry into the matter, and the truth is that, consistently with the very sentiments expressed by the right hon. Gentleman near me, and which he thinks we have abjured, we do attach conditions of service to the annuities of incumbents for the sake of their congregations—["Oh, oh!"]—yes, for the sake of their congregations, who, we thought, had a right to retain the benefit of their labours, and for the sake of the religious body with which they are connected, and we think that if we had proposed these annuities without conditions, and knowing that to be the general opinion, we should have done much to disorganize and possibly to destroy. But if the right hon. Gentleman opposite wishes to bring this particular matter to a test, let him give notice of a Motion in Committee to substitute for the proposition we make an unconditional, instead of a conditional, annuity, and I venture to say he will find himself mistaken as to the result.

Mr. GATHORNE HARDY: You did not let the incumbent take other preferment.

Mr. GLADSTONE: I say he can take other preferment in concert with the authorities of his Church. Without any interference from us to settle with the authorities of his Church the terms of his commutation, he may retain his right under it to the end, and take any preferment he likes. I therefore challenge the right hon. Gentleman to give notice of the Amendment at which he has glanced, when we shall see what left-handed service he has been endeavouring to give to his friends in the Irish Church, in whom he, no doubt, takes a great interest. The House may be assured that I will not follow the right hon. Gentleman in detail over the extensive ground he has traversed in his able speech. I think that, so far as criticisms on the details are concerned, there are none of them on which we are to give our opinion to-night can possibly depend, and therefore it is better to let them pass by in the fewest words. I will only say that I think when we come into Committee it will not be found practicable to induce the House to see, as he sees, that in the £350,000 or £400,000 —it is somewhere between the two—which the 4,500,000 of Roman Catholics in Ireland may get out of this arrangement, there is any monstrous or undue favouritism, while the £6,500,000, besides the churches and glebe houses, may go to the ministers or servants of the Church, or the body representing it. There is nothing to be read but the evidence of our harshness and injustice. With regard to the disputed question of the date of the private endowments of 1660, I know very well that this is a matter on which much may be said *pro* and *con*. But I own to my belief that if the opponents of this Bill succeed in shaking the conviction I entertain with regard to the propriety of the choice of that epoch, I, for one, am more likely to be shaken in the sense of doubting whether we ought to go so far back than in the sense of raising the question of being driven back farther. I may claim to know something of the matter when I am stating what are likely to be the processes of my own mind. I am not so audacious as to assume that the processes of the minds of hon. Gentlemen opposite may sympathize with my own. Several Gentlemen said that it would be extremely unjust to charge the Maynooth compensation and the *Regium Donum* upon the Church Fund of Ireland rather than upon the Consolidated Fund of this country. It has also been said that the proceeding we have adopted is not in conformity with the pledges we have given, and some have said, I think, with the Preamble of the Bill. At the proper time we shall be able to show that this proceeding is in strict conformity with all the words that we have spoken, and with the Preamble of the Bill. Neither of these things, perhaps, much affects the merits of the question; but upon the merits we shall state to the House at the proper time the reasons—and I think they are sufficient and conclusive reasons—which have led us to propose that these compensations should be paid out of the Church Fund of Ireland. Without in any manner raising a prejudice to the question which the Irish Members may think fit to found on the subject of a claim on the Consolidated Fund, or any other claim of a financial kind on behalf of that country, that is not one of the corner stones of the Bill. I do think that justice requires us to hold firmly—subject always to considerations of mere detail—by the moderate compensation we propose for Roman Catholics and Presbyterians; but as regards the question of the source from which those compensations are to be derived, there is no such foregone conclusion, I presume to say, in the minds of the Government as to prevent the fairest and freest discussion of the question.

So much for the criticism upon our plan in its details. What is far more important is to consider what are the plans or methods, if any, that have been placed in competition with the plan of the Government as the best method of dealing with the great ecclesiastical difficulty of Ireland. And I have shown that the right hon. Gentleman who has just sat down has no method whatever. Nor can I fail to remark one most extraordinary circumstance. It will be remembered that upon every occasion, during the debates of last year, our conduct in proposing Resolutions and legislation with respect to the Irish Church, was denounced by Gentlemen opposite, not only as unwise, but as eminently factious. And what was the reason adduced in proof that our conduct was thus factious? It was this—that the question of the Irish Church had been referred to a Royal Commission, that the Commission was to produce a plan for its settlement, and we, without waiting for their plan, insisted upon propositions of our own. That was the proof of the factious character of our conduct. At different times during the Session—when I suppose it was thought expedient in connection with the progress of debate—hopes were held out that the Commission was very hard at work, and likely to report —I remember the Home Secretary promising—almost immediately. However, we were not drawn off from the track; and I am thankful to say we went on with our work, and performed it, as to all that depended upon us, giving thereby to the country those pledges of the reality and solidity of our intentions which enabled the country to meet us in a corresponding spirit, resulting in that manifestation of the national will of which we are to look for another sign in the division of to-night. The Report of the Commission has appeared. No doubt, every Gentleman on that side has read not only the Report, but the whole of the Schedules. They must, every one of them, be intimately acquainted with it, and yet not a man in this debate has ventured to set up as a mode of dealing with the Church question of Ireland the plan proposed by the Report of the Commission. Surely that is a fact remarkable enough in itself; but it is more remarkable still when you consider whom you have got in the House—not the official head of the Commission, but its working mind. Great injustice is done to the right hon. and learned Gentleman the Member for Dublin University (Dr. Ball) if he is not the father of that Report. And yet, with a total absence of parental feeling he delivers, for two hours, a speech of the utmost ability and learning in this House, going over everything, condemning on this side, approving on that, having a word to say for all things and for everybody, except for the Report of his own Commission. Really, Sir, if it were possible for an inanimate production to be conscious of that sort of compassion which we ought to bestow on the woes and miseries of a fellow-creature, I should feel it all for the Report of this Commission. Ushered into the world with promisings and trumpetings sufficient for a Royal birth—the period for the preparation of its entering into light equal to that taken by the longest-lived animals in the business of gestation—it was considered by every member of the great party then constituting the Government to be certain to contain in itself the means of solving this most difficult problem; then to issue forth, and to be brought into the light, to be treated worse than the child of a beggar woman, for even such a child would be looked after by the parish—this Report seems to be put behind the fire, and the act of murder is performed by the hands of the father. The Report of the Commission, however, would not have attracted this kind of criticism for the purpose of attempting to fix anything in the nature of ridicule upon the labours of the persons who composed that Commission. They have failed, and failed egregiously, not from their own fault, but because they undertook a hopeless problem. They undertook the task of reforming that which is irreformable—that which you cannot reform in one sense without worsening its case in, perhaps, twenty other senses. If they committed an error, it was in undertaking to examine the question of re-constructing an institution like the Established Church in Ireland, that has entirely outlived its day. It had outlived its day, in my opinion, when it became evident that the plans of Queen Elizabeth could not possibly be fulfilled for the conversion of the people of Ireland to the Protestant religion. They may have erred in this respect. But I refer to this Report because the plans it has proposed represent to us the utmost and the best that the ablest man can do, fortified with Government authority, having the advantage of a lengthened period of time for consideration, and of unbroken consultation; and when such a Report as this proceeds from such men as these, and is so treated by its parents, I say we are justified, if ever there was a negative demonstration in the world, in saying that the time has come when every man standing on this floor is entitled and bound to say that what is called the reform of the Church of Ireland, by cutting and clipping and paring, by talking away a little here, and putting in a little there, and shifting money from one part of the country to another, has become utterly hopeless, and ought to be discarded from the category of those objects which are to be taken into the view of practical politicians. The right hon. and learned Gentleman, I must say, I think, treated the Report more favourably than the right hon. Gentleman who has just sat down, for he did point out methods of proceeding in Ireland. The right hon. Gentleman disclaimed any intention of offering any disrespect to the Roman Catholics in Ireland. I accept that disclaimer in good part—it was most sincerely offered, and not only offered, but proved; because the right hon. Gentleman instead of that niggardly line of comment, so to call it, which has been adopted by the right hon. Gentleman the late Home Secretary, who thinks he can possibly scrape two or three years from the Maynooth compensation, commented not only in a different but in a contradictory sense, and said that the proposal in respect of Maynooth was insufficient and ungenerous. The right hon. Gentleman announced pretty distinctly a mode of dealing with the Church question in Ireland. I think that he was in some degree, in this matter, a disciple of the school of reticence, but he certainly went beyond the right hon. Gentleman the Member for Buckinghamshire. The right hon. Gentleman the Member for Buckinghamshire last year did not express his opinions at the time when we heard that speech from Lord Mayo; but he has been extremely cautious and circumspect with regard to the repetition of those opinions ever since. Sir, when we cannot live on the food placed upon the table we must live on the crumbs that fall from it. In dealing with the real substantial and responsible scheme of the Government for dealing with the Irish Church, it is a matter of great importance to know whether any hon. Gentlemen, and especially hon. Gentlemen opposite, have on any occasion brought any scheme into competition with it. The hon. Member for Mayo (Mr. Moore), speaking his mind like a man, said that he tended towards an endowment of the three Churches—a general endowment; and my hon. Friend the Member for Galway (Mr. Gregory), with that frankness and courage which he always displays, avowed that this plan of general endowment was the plan and the policy which he would prefer, though I think he added that it was now too late to propose it. There can, therefore, be no room for hesitation or doubt as to the policy of those two hon. Gentlemen, though both I think accompanied their opinions with the expression of a fear that the time for its establishment had gone by. But when I come to the right hon. Gentleman the Member for Buckinghamshire, I found much greater difficulty in understanding what he means; because he said that one of the great causes—indeed, it was the only cause he mentioned — of the discontent and disorder in Ireland was the complaint that she had one unendowed Church and clergy. He went on to say that, if this Bill passed instead of having one unendowed Church and clergy we should have three, and he suggested that this, instead of being a remedy for a mischief, would be a means of aggravating it. I am therefore driven to the conclusion that either the right hon. Gentleman, like his Colleague who sits near him (Mr. Gathorne Hardy), has no plan for dealing with the Church of Ireland or that, if he has a plan, it is the same one as was announced by his Government from these Benches twelve months ago—the plan vulgarly called "levelling up" — leaving the Established Church her endowments, raising the endowments of the Presbyterians to a worthier standard, and combining that with a liberal endowment for the Roman Catholic Church in Ireland. This, at all events, I am safe in saying is the only plan indicated from the other side. I have heard very nearly the whole of this debate, and if any hon. Gentleman has intimated a latent kindness for the Report of the Commission, and I have done him a wrong in supposing that no one has given such an intimation, I hope he will forgive me; but, as far as I am aware, the plan of endowing the three Churches, which must, of course, be accompanied by some scheme of endowment for the Methodists and other sects, is the only one — I will not say laid down — but glanced at or insinuated as a rival to the plan of the Government. What are we to say to that plan? It is to be disposed of very briefly. A phrase has come into use among some of the Irish clergy. Some of them say—"We are prepared to accept the inevitable," but I have not heard that any of them have said—"We are prepared to accept the impossible." If this plan of the three Churches was really entertained by the right hon. Gentleman, why was it not announced at the hustings—at those hustings where every effort was made to represent us as being in secret league with the Pope of Rome, and when the honour and credit of Protestantism were in nearly every case—to his honour, I except the name of the right hon. and gallant Gentleman the Member for North Lancashire (Colonel Wilson-Patten) — sought to be monopolized by the party opposite? Why was not this plan, which is the only one about which they have ventured to hint as a remedy for the Church difficulties of Ireland, proposed, or at least mentioned, at the hustings? The voices were very inarticulate voices, and it is either the plan of the party opposite—in which case, as it is an impossible plan, it is needless to discuss it—or they have no plan at all. My hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) came to the rescue, and he certainly proposed a plan, and this plan, the product of a mind as ingenuous as it is powerful and accomplished, was received as a kind of godsend by a large number of hon. Gentlemen opposite. As every suggestion made by my hon. and learned Friend is entitled to respectful consideration, I shall not apologize for adverting to the character of that plan even at this late hour. The opinions of my hon. and learned Friend were the more important, because his doctrine of property has been much accepted by authorities and speakers on the other side of the House, and because of the general cheering with which his declaration was greeted. I understand the fundamental doctrine of my hon. and learned Friend to be that property given for the purposes and use of a portion of the community ought not to be withdrawn from that portion of the community except in certain definite cases. One of those cases I understood to be where the property was excessive in amount, in which case, according to my hon. and learned Friend, it might be reduced. Another definite case was when the purpose to which the property was addressed was either absurd or bad in itself. And my hon. and learned Friend, I think, finally glanced at a third cause which would justify the interposition of the Legislature—such misconduct in the administration of the funds as would be sufficient to warrant a forfeiture. Though I think that enumeration very well as far as it goes, I must claim on the part of the Legislature a larger and more extended right, and acknowledge myself bound by a much more comprehensive duty. It seems to me that when property has been given for a purpose that is not attained, and that cannot be attained, it is then the duty of the Legislature to see that that property is no longer wasted. I am putting the matter low, because, instead of being no longer wasted, if I were to state the full justification of our measure it would be rather this—where, even without the fault of the parties immediately concerned, the actual use and administration of a property, being totally different from that for which it is given, is likewise attended with the gravest political and social mischiefs, then the obligation of the Legislature to interfere is imperative. So far I listened with satisfaction to the speech of the hon. and learned Gentleman, for he rose above the purely legal doctrine of trust, and claimed that there was a trust for the whole community of the Church. I agree with the hon. and learned Gentleman in his extension of the doctrine; but I ask him to go with me to extend it still further, and to say there is a trust—whether in the legal sense I know not—but in the political, the social, the moral sense there is a trust impressed upon this property, from first to last, for the benefit of the nation. It was for the nation that the property was given. It is true it was given to corporations. Yes; but why? Not that they might enjoy it as private property, but that they might hold it on condition of duty. They were, as the hon. and learned Gentleman truly says, only convenient symbols — convenient media for its conveyance from generation to generation. The real meaning, scope, and object was that through them it should be applied for all time to the benefit of the entire population of the kingdom, and this was a natural and intelligent arrangement when the entire nation was of one faith. In proportion as Dissent and difference of opinion creep into the country, the foundation of the religious Establishment so endowed comes to be by degrees more or less weakened and impaired, partly in proportion as the number of Dissenters is strong, partly in proportion as they are disposed or not disposed to acquiesce in the continuance of the Establishment. But when we come to a case like that of Ireland; when that which was given for the whole people has come to be appropriated for the enjoyment of a mere handful of the people; and when at the same time the property so enjoyed, while it remains in the hands of those who now hold it, is associated with the recollection of all the grievances and bitter misfortunes that have afflicted that country, so that the chain of the ecclesiastical and civil history of Ireland consists in fact of two strands, one of which cannot possibly be unwound and separated from the other, I must decline to go into any court of justice, created for the purpose of administering the laws, in order to ascertain the rules by which they are bound. We are called to a function and avocation which, in my opinion, is a yet higher one; we are to look for the principles of right in a broader, and, for such a case, a truer aspect, and from that responsibility we cannot escape. We ought to be grateful to my hon. and learned Friend for the distance in respect of that portion of our journey which he is content to travel in our company, because, considering the hard words of which we are the object, I think it requires some courage on his part to acknowledge us and to recognize us in any degree. My hon. and learned Friend gives up the Establishment of the Church. I do not wonder that my right hon. Friend the Member for the University of Cambridge (Mr. Walpole) entered a protest on this subject. In giving up the establishment of the Church my hon. and learned Friend gives up the greater part, and I think the higher part, I am bound to say the higher and the worthier part, of the whole argument. All that relates to the consecration of the State by its union with the Church—all that relates to the supremacy of the Crown—all that relates to the constitutional argument as well as to the religious argument, disappears along with disestablishment; and my hon. and learned Friend becomes open to that withering accusation which was delivered in a moment of extraordinary fervour by the right hon. Gentleman the Member for Buckinghamshire last year, when he described that awful conspiracy between Romanists and Ritualists for undermining the Throne by the denial of the Royal supremacy. But permit me to say the Royal supremacy is not denied or taken away by this Bill. The Royal supremacy has been developed in various forms at various periods of our history. It is the greatest mistake to suppose that since the Reformation the Royal supremacy has always been flowing, as it were, through the same channel. Most important and vital changes have been made with respect to the methods of its operation; but I know of no legal or authoritative definition of the Law of Supremacy, except it be that which describes it as the fundamental principle which makes the Sovereign of this country supreme over all persons and in all causes ecclesiastical as well as civil. That which is an ecclesiastical cause at one period of our history may not be an ecclesiastical cause at another period of our history; that which was an ecclesiastical cause before the Court of High Commission has no existence as such in the present generation; but as long as the Queen is supreme in every cause that can be brought into a court for the purpose whether of primary adjudication or of review, so long the Royal supremacy exists. If anyone be prepared to question that doctrine, I ask them whether the Royal supremacy exists in Scotland at this moment or not? If you hold that by this Bill the Royal supremacy is set aside, I defy you to maintain that there is a single rag or thread of Royal supremacy in Scotland. My hon. and learned Friend is prepared —I do not say that he proposes—but he is prepared to give up the estates of the sees, the property of the Commissioners, and he says he is prepared to give up certain of the parochial endowments of benefices. Of course, it would be impossible to fix any figure off-hand with precision; but I believe he confined these cases of parochial endowments to populations of 200 persons. Whether he intended to reserve out of the revenues of these benefices any portion for the supply of spiritual instruction and ordinances I do not know, and I do not think he said; but in this way my hon. and learned Friend gives up one-third of the Church property of Ireland, and he proposes to retain the rest upon a rule which is, at any rate perfectly intelligible.

SIR ROUNDELL PALMER intimated that he would thus dispose of about one-half of that property.

MR. GLADSTONE: I am extremely glad to hear it is one-half instead of a third. I am delighted to hear he accompanies us only one inch further on our road. It gives me hope that possibly some day he will greatly improve his fractions. But my hon. and learned Friend would retain the endowments in those cases where there is what I may call a congregation, not as denying that twenty people, or even ten people, may be a Christian congregation; but, using the expression in the sense that he employs it when he speaks of "a substantive congregation," of which he thinks the law may take notice and cognizance. In this case my hon. and learned Friend would retain the endowments. The first question which I should like to ask my hon. and learned Friend is, whether there is upon the face of the earth, or in the history of legislation, any precedent for such a proceeding as he proposes? and the reason I put that question to him is because he put that question to us. Now, I think it is quite plain that he has no precedent for it. I would not, however, condemn it on that ground alone, because in the circumstances of Ireland, such as they are, we are dealing with a case for which, I believe, there is no precedent in the civilized world. My hon. and learned Friend certainly will not tell me that the case in which the courts of the United States adjudged to the Episcopal Church of New York the property of which, I believe, the value at the time of the adjudication was somewhere about £2,000 a year—my hon. and learned Friend, I say, will not tell me that that was a case in point; especially upon this ground, that although that was a proof of a great regard of the American Government for corporate property, it was not property which had belonged to a religious communion of the State of New York in the character of an Established Church. My hon. and learned Friend will correct me if I am wrong; but I do not think that the Anglican Church was ever an Established Church in the State of New York as it was in Virginia, and therefore it was a private society in which this endowment was continued. Well, then, let us see how this case stands in other matters. My hon. and learned Friend by giving up the Establishment gives up the argument with regard to State religion and supremacy. Now, with respect to the means of spreading the doctrines of the Reformation, how does his plan recommend itself? If we are to maintain the Established Church for the purpose of spreading the doctrines of the Reformation, we ought to maintain it all the more assiduously and zealously in those places where it is improbable that it would be able to maintain itself. Even the right hon. Gentleman (Mr. Gathorne Hardy) has come down somewhat from the high ground of last year, when he spoke of its being the glory of the Church to hold out the light of the Reformation all over Ireland, and he seems now to be disposed to withdraw—[Mr. GATHORNE HARDY: No, no!]—Well, then, he does not withdraw, but wishes to keep it in every parish of the land; but my hon. and learned Friend does not propose to do so—and even if he were to have certain flying curates passing from one village to another, serving different congregations as they passed along in the course of the Sunday, my hon. and learned Friend will never tell me that this is the plan he would recommend for gaining proselytes, or the way he thinks the work of the Irish Church should be carried out.

Well, let me try the plan of my hon. and learned Friend by the rules of general prudence. When you have a fund to distribute, and have not enough for everybody, to whom are you to give it? Is it to those who want it and cannot do without it, or to those who do not want it and can supply themselves? I should certainly have thought that on those principles the proper course was the former; but my hon. and learned Friend's plan takes away funds from those scattered and poor Protestants on whose behalf appeals are constantly made to our commiseration, and gives it to those congregations which, according to every understood principle of reckoning in such matters, are capable of providing religious worship and religious instruction for themselves. Well, how does this plan stand as regards a great object which we have in view—namely, that of conciliating the Roman Catholic population of Ireland? My hon. and learned Friend must know that it is not the possession of a larger or smaller portion of these endowments as national endowments that is objected to by the Roman Catholic population. It is that they should be held by the Protestants at all, and if he ruthlessly cuts away a moiety of the endowments, but leaves the other moiety in their hands, the cause of offence remains, and all the festering recollections connected with it would still continue to afflict the mass of the Irish people. My hon. and learned Friend criticized the Bill with respect to the observance of the local principle. He quoted from a speech of mine a declaration in which I had said that in my opinion it was dangerously resembling an act of public plunder if—on the part of that handful of the Irish people who are in the possession of the ecclesiastical endowments—we were to take the tithes of a parish in Mayo or Galway to supply the wants of wealthy congregations in Dublin or Belfast; and he thought he had found—what I am quite sure he will be forward to admit when the matter is explained, he has not found—a great deviation in this Bill from that regard for the local purposes of these funds, which I had so strongly professed. If we had found it necessary to centralize those funds for a purpose of national and general benefit, it would have been a totally different matter from transferring them from the handful of Protestants in one neighbourhood for the uses of another handful in another; but we have done neither the one nor the other. I stated to the House in introducing the measure that, in our view, it was essential to the satisfactory character of any plan for disposing of the residue of the property that it should be equal in its application to the various parts of Ireland, and if my hon. and learned Friend examines the matter he will find that it is not possible to devise any scheme which shall more exactly re-distribute the benefit of these funds than the scheme we have proposed. There is not one purpose to which we propose to apply them that does not reach over the whole of Ireland; there is not one purpose that does not regard and concern wants that are rising day by day in every parish of every county, nor is there one to which we do not propose by this plan to give an easy and practicable access to institutions which will be either maintained or assisted out of these funds. I am bound to say there yet remains one more objection to the plan of my hon. and learned Friend. If he retains these endowments in the wealthier parishes of Ireland, it is quite plain to me that he cannot give to the Irish Church that which I find it determined to assert for itself—namely, an absolute legal freedom—for he proposes to maintain benefices, and he will have to maintain the incidents of benefices, to maintain that part of the legal Church system which concerns the enjoyment of property under straight, rigid, and inflexible rules. Now, such retention of rules would, I am afraid, greatly interfere with that power of elastic adaptation of arrangements to wants and necessities all over Ireland to which members of the Established Church in Ireland look with sanguine hope as a principle enabling them to cope with the difficulties of the position. I therefore, Sir, feel bound to say that, great as is the respect which we have for the authority of my hon. and learned Friend, it appears to me that we should do wrong were we to deviate from the plans we have adopted in the direction which he indicates to us.

And here let me say a word with regard to the application of the funds to lunatic asylums in answer to what fell from the noble Lord the Member for Middlesex (Lord George Hamilton)—a word which I say with great satisfaction, because it affords me an agreeable opportunity of acknowledging the remarkable ability that distinguished his first address to the House. But the noble Lord has not examined into the case of these institutions. He stated that the money of the Church would be given to sectarian lunatic asylums of which he gave three or four examples. [Lord GEORGE HAMILTON: I said it might be.] I think the noble Lord, naturally perhaps, assuming that we could not have any other but the worst and darkest intentions, went a little further and said they would be so applied. But those three instances named by the noble Lord were not instances of lunatic asylums at all, but were instances of hospitals which would not come within the provisions of the Bill. Now, instead of replying in detail on such a point, I would simply say this—that in the whole application of these residuary funds there is not involved the adoption of a single principle which is new to Parliament. If we are told that reformatories are not fit to receive any portion of these funds because reformatories are denominational, my answer is that these reformatories receive from year to year grants of the public money voted by Parliament; and if they are fit to receive money contributed by the taxpayers of the three countries they are fit to receive money proceeding from the Church funds of Ireland. With regard to lunatic asylums, those asylums are exclusively governed by persons who are appointed by the Lord Lieutenant of Ireland—that is to say, by officers who are responsible to Parliament. With respect to county infirmaries, the noble Lord knows very well that although these institutions are very ill-governed at present, yet they are under government of a legal character, which must be fixed and appointed by us, and which must be under any new and amended system—if our policy is allowed to have its way—of a perfectly impartial and secular description.

Well, Sir, there is more that I should have liked to have said, were it not that the hands of the clock warn me that I ought to hasten to a close; and I will, therefore, proceed to what—to use a phrase that I am afraid has given some offence, although it was not used with the intention of giving any—I may call the "winding up" of my speech; but I applied the phrase "winding up" to these money arrangements because it is one which I thought conveniently expressed what I meant. This measure has been—and I do not much complain of it—the object undoubtedly of very hard words—sacrilege, spoliation, perfidy. All these and two more have been used; to which two I will now refer, because they were used by my right hon. Friend the Member for North Devon (Sir Stafford Northcote) at a Conservative dinner, unless he be wronged by the reporters, on the 3rd of March, when he delivered a speech on this subject, which appears to me more highly seasoned than the one he addressed to the House. If I might venture to express an opinion on such a matter, I would recommend that when hon. Gentlemen have strong things to say about public measures the best place is to say them in this House.

Sir STAFFORD NORTHCOTE: I shall be quite prepared to say it here at the proper time.

Mr. GLADSTONE: I should say the proper time was in the course of this debate. I want to refer to his remarks, because I am satisfied with and somewhat proud of them. My right hon. Friend said that when the English people understand the measure they will feel that it is unparalleled in its character, and that it combines a gigantic scheme of robbery, with a still worse system of bribery. Those words have given satisfaction to me for two reasons. In the first place, because my right hon. Friend, having used those words, cannot possibly hereafter use any others that are worse, and therefore we know that we have touched the bottom. I have another source of satisfaction. It is just the kind of delineation and picture which, when drawn by a hostile hand, shows me that we have succeeded in the framing of our measure. When my right hon. Friend says we have committed robbery, what he means is that we have been faithful to the principles of disestablishment and general disendowment which we announced last year, and which we professed to our constituents; and when he says we have committed bribery he means that, in the application of those principles, we have studied carefully and to the best of our ability to ensure that there should be every mitigation and every softening which they could receive in their practical application. Therefore I accept the involuntary but most conclusive testimony given by my right hon. Friend that the spirit in which we have proceeded, as one, among a variety of evidences afforded me by the demeanour of the House, that they think the Government has not failed in embodying in this important measure the main considerations which it was their duty to include in it.

I have nothing else to say which is essential or material. I wish to release this House; and I will therefore conclude by thanking the House for the patience with which they have listened to me at this advanced hour of the night or of the morning, whichever we may think fit to call it. As the clock points rapidly towards the dawn, so we are rapidly flowing out the years, the months, the days, that remain to the existence of the Irish Established Church. An hon. Member last night assured us, speaking, I have no doubt, his own honest conviction, that we were but at the beginning of this question. I believe that not only every man who sits on this side of the House, but every man who sits on that, carries within his breast a silent monitor, which tells him that this controversy is fast moving to a close. It is for the interest of us all that we should not keep this Establishment of religion in a prolonged agony. Nothing can come from that prolongation but an increase of pain, an increase of exasperation, and a diminution of that temper which now happily prevails—a temper which is disposed to mitigate the adjustment of this great question in its details. There may also come from that prolongation the very evil which the right hon. Gentleman opposite made it a charge against us that we were labouring to produce, but which we think likely to be rather the probable consequence of his line of argument — namely, the drawing into this Irish controversy that English question which we conceive to be wholly different. We think so, because, although in the two countries there may be and there are Establishments of religions, we never can admit that an Establishment which we think, in the main, good and efficient for its purposes, is to be regarded as being endangered by the course which we may adopt in reference to an Establishment which we look upon as being inefficient and bad. The day, therefore, it seems to me, is rapidly approaching when this controversy will come to an end, and I feel that I am not wrong in appealing to that silent witness to the justice of my anticipations which I am satisfied exists on both sides of the House. Not now are we opening this great question. Opened, perhaps, it was, when the Parliament which expired last year pronounced upon it that emphatic judgment which can never be recalled. Opened it was, further, when in the months of autumn the discussions which were held in every quarter of the country turned mainly on the subject of the Irish Church. Prosecuted another stage it was, when the completed elections discovered to us a manifestation of the national verdict more emphatic than, with the rarest exceptions, has been witnessed during the whole of our Parliamentary history. The good cause was further advanced towards its triumphant issue when the silent acknowledgment of the late Government that they declined to contest the question was given by their retirement from Office, and their choosing a less responsible position from which to carry on a more desultory warfare against the policy which they had in the previous Session unsuccessfully attempted to resist. Another blow will soon be struck in the same good cause, and I will not intercept it one single moment more.

Question put.

The House *divided:*—Ayes 368; Noes 250: Majority 118.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 15th April.

AYES.

Acland, T. D.
Adair, H. E.
Agar-Ellis, hn. L. G. F.
Akroyd, E.
Allen, W. S.
Amcotts, Col. W. C.
Amory, J. H.
Anderson, G.
Anstruther, Sir R.
Antrobus, E.
Armitstead, G.
Ayrton, A. S.
Aytoun, R. S.
Backhouse, E.
Bagwell, J.
Baines, E.
Baker, R. B. W.
Barclay, A. C.
Barry, A. H. S.
Bass, M. A.
Baxter, W. E.
Bazley, T.
Beaumont, Capt. F.
Beaumont, H. F.
Beaumont, S. A.
Beaumont, W. B.
Bentall, E. H.
Biddulph, M.
Bingham, Lord
Blake, J. A.
Blennerhassett, Sir R.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brady, J.
Brand, right hon. H.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brewer, Dr.
Bright, J. (Manchester)
Bright, rt. hon. J.
Brinckman, Capt.
Brocklehurst, W. C.
Brogden, A.
Brown, A. H.
Bruce, Lord C.
Bruce, Lord E.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Buller, Sir E. M.
Bulwer, rt. hn. Sir H. L.
Burke, Viscount
Bury, Viscount
Buxton, C.
Cadogan, hon. F. W.
Callan, P.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. Cap. W.
Carnegie, hon. C.
Carter, Mr. Ald.
Cartwright, W. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, M.
Chambers, T.
Childers, rt. hn. H. C. E.
Cholmeley, Capt.
Cholmeley, Sir M.
Clay, J.
Clement, W. J.

Cogan, rt. hn. W. H. F.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Corbally, M. E.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Dalrymple, D.
D'Arcey, M. P.
Davie, Sir H. R. F.
Davies, R.
Davison, J. R.
Dease, M. O.
Delahunty, J.
De La Poer, E.
Denison, E.
Denman, hon. G.
Dent, J. D.
Devereux, R. J.
Dickinson, S. S.
Digby, K. T.
Dilke, C. W.
Dillwyn, L. L.
Dixon, G.
Dodds, J.
Dodson, J. G.
Downing, M'C.
Dowse, R.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Ellice, E.
Enfield, Viscount
Ennis, J. J.
Erskine, Vice-Ad. J. E.
Esmonde, J.
Ewing, H. E. C.
Ewing, A. O.
Eykyn, R.
Fagan, Captain
Fawcett, H.
Finnie, W.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
FitzPatrick, rt. hn. J. W.
Fitzwilliam, hn. C. W. W.
Fitzwilliam, hon. H. W.
Fletcher, I.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Fothergill, R.
Fowler, W.
French, rt. hon. Col.
Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F. H.
Gower, hon. E. F. L.
Gower, Lord R.
Goschen, rt. hon. G. J.
Gourley, E. T.
Graham, W.
Gray, Sir J.
Gregory, W. H.
Greville, Captain
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, Lord R.
Grosvenor, Capt. R. W
Grove, T. F.
Hadfield, G.
Hamilton, E. W. T.
Hamilton, J. G. C.
Hanmer, Sir J.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Haviland-Burke, E.
Hay, Lord J.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hoare, Sir H. A.
Hodgkinson, G.
Holms, J.
Howard, hon. C. W. G.
Howard, J.
Hughes, T.
Hughes, W. B.
Hutt, rt. hon. Sir W.
Illingworth, A.
James, H.
Jardine, R.
Jessel, G.
Johnston, A.
Johnstone, Sir H.
King, hon. P. J. L.
Kinglake, J. A.
Kinnaird, hon. A. F.
Kirk, W.
Knatchbull-Hugessen, E. H.
Layard, rt. hon. A. H.
Lambert, N. G.
Lancaster, J.
Lawrence, J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Lee, W.
Lefevre, G. J. S.
Lewis, J. D.
Lloyd, Sir T. D.
Loch, G.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lush, Dr.
Lusk, A.
Lyttelton, hon. C. G.
M'Arthur, W.
M'Clean, J. R.
M'Clure, T.
M'Combie, W.
MacEvoy, E.
Macfie, R. A.
Mackintosh, E. W.
M'Lagan, P.
M'Laren, D.
M'Mahon, P.
Maguire, J. F.
Maitland, Sir A. C. R. G.
Marling, S. S.
Martin, C. W.
Martin, P. W.
Matheson, A.
Mathews, H.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Miller, J.
Milton, Viscount
Mitchell, T. A.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
Moore, G. H.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Murphy, N. D.
Nicholson, W.
Nicol, J. D.
North, F.
Norwood, C. M.
O'Brien, Sir P.
O'Conor, D. M.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
O'Loghlen, rt. hon. Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Palmer, J. H.
Parker, C. S.
Parry, L. Jones-
Pease, J. W.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Playfair, L.
Plimsoll, S.
Pochin, H. D.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, J. T.
Price, W. E.
Price, W. P.
Ramsden, Sir J. W.
Rathbone, W.
Rebow, J. G.
Reed, C.
Richard, H.
Richards, E. M.
Robertson, D.
Roden, W. S.
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HANSARD'S PARLIAMENTARY DEBATES.

VOLUME CXCIV.

FIRST VOLUME OF SESSION 1868-9.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

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When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

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Read 1°* *Mar* 9 [Bill 42]
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c. Ordered; read 1°* *Mar* 11 [Bill 46]
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(*The Earl Granville*)
l. Presented ; read 1ª * *Feb* 23 (No. 9)
Moved, "That the Bill be now read 2ª" (*Lord Dufferin*) *Mar* 2, 481 ; after short debate, Bill read 2ª
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Question, Mr. Monk ; Answer, Mr. Ayrton *Feb* 25, 309

Consolidated Fund (£8,406,272 13s. 4d.) Bill
c. Ordered ; read 1° * *Mar* 10
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l. Read 1ª * *Mar* 15
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Contagious Diseases Act (1866)
Question, Viscount Lifford ; Answer, The Earl of Morley *Feb* 25, 284 ; Question, Mr. Mitford ; Answer, Mr. Gladstone *Feb* 25, 303

Contagious Diseases Act (1866) Amendment Bill [H.L.]
(*The Marquess Townshend*)
l. Presented ; read 1ª * *Mar* 8 (No. 29)

Contagious Diseases (Animals) Bill
(*Lord Robert Montagu, Mr. Selwin-Ibbetson*)
c. Considered in Committee ; after short debate, a Resolution agreed to *Feb* 17, 90 ; Bill ordered ; read 1° * [Bill 1]
Moved, "That the Bill be now read 2°" *Mar* 10, 996
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Headlam*) ; after short debate, Question put, "That 'now,' &c. ;" A. 197, N. 253 ; M. 56 ; words added ; main Question, as amended, agreed to ; Bill put off for six months

Contagious Diseases (Animals) (No. 2) Bill
(*Mr. Dodson, Mr. W. E. Forster, Mr. Secretary Bruce*)
c. Acts read ; considered in Committee ; after short debate, a Resolution agreed to *Mar* 4, 672 ; Bill ordered ; read 1° * [Bill 38]
Question, Sir James Elphinstone ; Answer, Mr. W. E. Forster *Mar* 16, 1466

Corporation of London Bill
(*Mr. Buxton, Mr. Thomas Hughes*)
c. Ordered ; read 1° * *Mar* 8 [Bill 40]

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(*Mr. Norwood, Mr. Akroyd, Mr. Mundella*)
c. Ordered; read 1°* *Feb* 19 [Bill 9]
Moved, "That the Bill be now read 2°" *Mar* 17, 1561
Amendt. to leave out "now," and add "upon this day six months" (*Sir Francis Goldsmid*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. and Motion withdrawn; 2R. deferred

Court of Common Pleas (County Palatine of Lancaster) Bill
(*Mr. West, Mr. Bazley, Mr. Davison*)
c. Ordered; read 1°* *Feb* 26 [Bill 26]
Read 2°, after short debate *Mar* 5, 774

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Dowse, Mr. Serjeant R., *Londonderry Bo.*
Irish Church, 2R. 1955
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Party Processions (Ireland), 2R. 1556

Drainage and Improvement of Lands (Ireland) Supplemental Bill
(*Mr. Ayrton, Mr. Chichester Fortescue*)
c. Ordered ; read 1° * *Mar* 16 [Bill 55]
Read 2° * *Mar* 22
Committee * ; Report *Mar* 23

Drogheda Writ
Moved, " That Mr. Speaker do issue his Warrant to the Clerk of the Crown in Ireland to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Drogheda, in the room of Benjamin Whitworth, Esquire, whose Election has been determined to be void" (*Mr. Glyn*) *Feb* 19, 151 ; after short debate, Motion withdrawn
After short debate, New Writ ordered (*Mr. Glyn*) in room of Benjamin Whitworth (void Election) *Mar* 5, 797

Duff, Mr. M. E. Grant (Under Secretary of State for India), *Elgin, &c.*
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Ireland—Crime, Address for Returns, 948
Ireland—Tithe Rent Charges, Motion for Returns, 1081

Dumfriesshire Election
Moved, That a Select Committee be appointed, to "consider whether Sir Sydney Hedley Waterlow is disqualified from sitting and voting as a Member of this House under the Statute 22 Geo. 3, c. 45, and to report their opinion thereon" (*Mr. Thomas Chambers*) *Feb* 22, 190; after short debate, Motion agreed to; List of the Committee, 196
Resolution [15th March] reported—"That Sir Sydney Hedley Waterlow is disqualified, under the Statute 22 Geo. 3, c. 45, from sitting and voting as a Member of this House;" Resolution agreed to; New Writ Issued *Mar* 17, 1561
Government Contractors, 22 *Geo. III. c.* 45, Question, Mr. Rylands; Answer, Mr. Gladstone *Mar* 2, 482

Durham, University of
Question, Mr. Stevenson; Answer, The Solicitor General *Mar* 22, 1897

East India Irrigation and Canal Company Bill (*Mr. Grant Duff, Mr. Stansfeld*)
c. Ordered; read 1°* *Feb* 19 [Bill 8]
Read 2°* *Mar* 10, and referred to a Select Committee
Report* *Mar* 16
Read 3°* *Mar* 17
l. Read 1ª* *Mar* 18 (No. 31)

Ecclesiastical Commissioners—Deanery of Lichfield and Rectory of Tatenhill
Question, Mr. M. A. Bass; Answer, Mr. Acland *Mar* 8, 833

Ecclesiastical Courts Bill [H.L.]
(*The Earl of Shaftesbury*)
l. Presented; read 1ª* *Feb* 16 (No. 2)

Ecclesiastical Dilapidations Bill [H.L.]
(*The Lord Archbishop of York*)
l. Presented; read 1ª* *Mar* 5 (No. 25)

Ecclesiastical Titles Act Repeal Bill
(*Mr. MacEvoy, Mr. William Gregory, Sir Rowland Blennerhassett, Mr. Corbally*)
c. Motion for Leave (*Mr. MacEvoy*) *Feb* 22, 186; Bill ordered, after debate; read 1°* [Bill 13]
Question, Mr. Walpole; Answer, Mr. MacEvoy *Mar* 1, 412; Question, Mr. Newdegate; Answer, Mr. MacEvoy *Mar* 2, 488

Education
Public Education in England, Ireland, and Scotland, Observations, Earl Russell; debate thereon *Mar* 8, 805
Education in Large Towns, Amendt. on Committee of Supply *Mar* 12, to leave out from "That" and add "a Select Committee be appointed to inquire into the state of Education in the great Provincial Towns" (*Mr. Melly*), 1189; Question proposed, "That the words, &c.;" after long debate, Amendt. withdrawn
Schools for Children of the Working Classes, Question, Mr. Baines; Answer, Mr. W. E. Forster *Mar* 23, 1996

EGERTON, Hon. A. F., *Lancashire, S.E.*
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EGERTON, Hon. W., *Cheshire, Mid.*
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Scotland—Poor Law, Motion for a Committee, 523
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Election Expenses Bill
(*Mr. Fawcett, Mr. Baines, Mr. M'Laren*)
c. Motion for Leave (*Mr. Fawcett*) *Feb* 19, 150; Bill ordered; read 1°* [Bill 7]
Moved, "That the Bill be now read 2°" *Mar* 3, 563
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Floyer*); after short debate, Question put, "That 'now,' &c.;" A. 165, N. 168; M. 3; words added; main Question, as amended, agreed to; Bill put off for six months; Division List, Ayes and Noes, 583

Election Petitions, Judgments on
Question, Mr. Vernon Harcourt; Answer, Mr. Bruce *Mar* 1, 408; Observations, Mr. Vernon Harcourt; Reply, The Attorney General *Mar* 5, 759

ELPHINSTONE, Sir J. D. H., *Portsmouth*
Cattle Plague, The, 207
Contagious Diseases (Animals) Acts, Leave, 94, 1466
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Navy Estimates—Men and Boys, 914
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Endowed Schools Bill
(*Mr. W. E. Forster, Mr. Secretary Bruce*)
c. Motion for Leave (*Mr. W. E. Forster*) *Feb* 18, 113; Bill ordered, after debate; read 1°* [Bill 3]
Question, Mr. Gathorne Hardy; Answer, Mr. W. E. Forster *Mar* 9, 955
Moved, "That the Bill be now read 2°" *Mar* 15, 1356
Bill read 2°, after long debate, and committed to a Select Committee; List of the Committee, 1415
Question, Mr. Charley; Answer, Mr. W. E. Forster *Mar* 18, 1657

ENFIELD, Viscount, *Middlesex*
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Extradition, Law of
Question, Mr. M'Cullagh Torrens; Answer, Mr. Otway *Mar* 16, 1462

EYKYN, Mr. R., *Windsor*
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Question, Mr. Baines; Answer, Mr. Bruce *Feb* 23, 202
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FAWCETT, Mr. H., *Brighton*
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(*The Lord Westbury*)
l. Presented; read 1^{a}* *Feb* 26 (No. 17)

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(*Mr. M'Lagan, Mr. Fordyce, Mr. Orr Ewing*)
c. Motion for Leave (*Mr. M'Lagan*) *Mar* 2, 534; Bill ordered, after short debate; read 1° * [Bill 32]

Game Laws (Scotland) (No. 2) Bill
(*Lord Elcho, Sir Graham Montgomery*)
c. Motion for Leave (*Lord Elcho*) *Mar* 3, 586; Bill ordered, after short debate; read 1° * [Bill 36]

Game Laws (Scotland) (No. 3) Bill
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Ordered; read 1° * *Mar* 11 [Bill 47]

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l. Presented; read 1^{a}* *Feb* 26 (No. 16)
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- Education in Large Towns, Motion for a Committee, 1249
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Hypothec Abolition (Scotland) Bill (*Mr. Carnegie, Mr. Fordyce, Mr. Craufurd*)
c. Motion for Leave (*Mr. Carnegie*) *Feb* 18, 112; Bill ordered, after short debate; read 1° * [Bill 4]

Imprisonment for Debt
Arrest of a Young Girl, Question, Sir George Jenkinson; Answer, Mr. Bruce *Feb* 18, 111; *Feb* 23, 209
Case of John Kenn, Question, Observations, Mr. Collins; Reply, Mr. Bruce *Mar* 5, 768

Imprisonment for Debt Bill (*Mr. Attorney General, Mr. Solicitor General, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *Mar* 19 [Bill 61]

Inclosure Awards (County Palatine of Durham) Bill (*Mr. Bentinck, Sir Roundell Palmer, Mr. William Lowther*)
c. Ordered; read 1° * *Mar* 10 [Bill 44]
Read 2°, after short debate *Mar* 19, 1894

Inclosure of Lands Bill (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Ordered; read 1° * *Mar* 1 [Bill 31]
Read 2° * *Mar* 5
Question, Mr. T. Chambers; Answer, Mr. Knatchbull-Hugessen *Mar* 22, 1905
Committee *; Report *Mar* 22
Considered * *Mar* 23

Income Tax
Moved, "That it is expedient to include in the Financial arrangements of the Government for the ensuing year the unconditional repeal of the Income Tax on trade profits and personal property of all kinds; and that any deficiency be raised by an increased tax on land and fixed property" (*Mr. Whalley*) *Mar* 16, 1530; after short debate, Motion withdrawn

Increase of the Episcopate Bill [H.L.] (*The Lord Lyttelton*)
l. Presented; read 1ª * *Mar* 18 (No. 34)

India
Affghanistan, Ameer of, Question, Mr. Beckett Denison; Answer, Mr. Grant Duff *Mar* 9, 955
Banda and Kirwee Booty, Question, Colonel North; Answer, Mr. Grant Duff *Mar* 16, 1462
Bhore Ghaut, Recent Accident at the, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *Mar* 2, 485
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Civil Service Examination, Question, Sir Patrick O'Brien; Answer, Mr. Grant Duff *Mar* 8, 841

Government, Seat of, Removal of the, Question, Mr. Dilke; Answer, Mr. Grant Duff *Feb* 25, 312

Jhansi Prize Money, Question, Mr. T. Chambers; Answer, Mr. Grant Duff *Mar* 16, 1466

Kohat, Garrison of, Question, Mr. Wyllie; Answer, Mr. Grant Duff *Mar* 2, 488

Military Appointments, Question, Mr. O'Reilly; Answer, Mr. Grant Duff *Mar* 18, 1655

Native Scholarships, Question, Sir Stafford Northcote; Answer, Mr. Grant Duff *Feb* 25, 310

Punjaub Tenancy Act, Question, Sir Charles Wingfield; Answer, Mr. Grant Duff *Mar* 11, 1085

Tonk, Nawab of, Question, Mr. Stacpoole; Answer, Mr. Grant Duff *Feb* 25, 310

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Anketell, Mr., Murder of, Question, Mr. Wingfield Verner; Answer, Mr. Chichester Fortescue *Mar* 11, 1091

Bankruptcy Law, Question, Mr. Fitzwilliam Dick; Answer, The Attorney General for Ireland *Mar* 15, 1355

Cardinal Cullen and the Privy Council of Ireland, Question, Sir Thomas Bateson; Answer, Mr. Chichester Fortescue *Mar* 2, 483

Church Property—Ecclesiastical Residences—Private Endowments, Question, Mr. Bentinck; Answer, Mr. Gladstone *Mar* 15, 1351—*Property of the Irish Church,* Question, Mr. Mellor; Answer, Mr. Gladstone *Mar* 16, 1461

(See *Irish Church Bill*)

City of Dublin Election, Question, Mr. O'Reilly; Answer, Mr. Ayrton *Mar* 8, 832; Observations, Mr. Gathorne Hardy, The Attorney General for Ireland; Reply, Mr. O'Reilly *Mar* 16, 1542

Civil Bills, Law of, Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue *Mar* 8, 835

Crime (Ireland)—The Murder at Ballycohey, Address for, Copies of the correspondence between the Irish Government and the stipendiary magistrate of Tipperary upon the aid to be given to the landlord of Ballycohey to enable him to serve certain notices upon his tenants, and upon the subsequent placing and the speedy withdrawal of extra police upon the townland of Ballycohey; [and other Returns] (*The Marquess of Clanricarde*) *Mar* 8, 946; Motion withdrawn, after short debate — *Murders,* Question, Observations, The Marquess of Clanricarde; Reply, Lord Dufferin; debate thereon *Mar* 18, 1618

Fenian Conspiracy, The

Banquet at Cork — Speeches of the Mayor, Question, Colonel Stuart Knox; Answer, Mr. Chichester Fortescue *Mar* 18, 1661—*Limerick, Inflammatory Speeches at,* Question, Sir John Hay; Answer, Mr. Chichester Fortescue *Mar* 15, 1349; Question, Mr. Henry; Answer, Mr. Gladstone *Mar* 23, 1999

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Fenian Convicts, Pardon of, Questions, The O'Conor Don, Mr. Gathorne Hardy; Answers, Mr. Chichester Fortescue *Feb* 22, 159; Observations, Mr. Chichester Fortescue *Feb* 23, 209; Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue *Feb* 25, 311; Question, Sir George Jenkinson; Answer, Mr. Chichester Fortescue *Mar* 23, 1997

Mackey, The Convict, Questions, Sir Thomas Bateson, Colonel Stuart Knox; Answers, Mr. Chichester Fortescue *Mar* 9, 953

O'Farrell Papers, The, Question, Mr. Newdegate; Answer, Mr. Monsell *Mar* 19, 1791

Smith, Arrest of, Question, Colonel Annesley; Answer, Mr. Chichester Fortescue *Mar* 18, 1659; *Mar* 22, 1904

Fisheries, Inspectors of, Question, Mr. Stacpoole; Answer, The Attorney General for Ireland *Mar* 8, 830

Fishery Commissioners, Question, Mr. Stacpoole; Answer, The Attorney General for Ireland *Mar* 11, 1084

General Valuation, &c. (Ireland), Select Committee appointed, "to inquire into the constitution and management of the department of the general Valuation of Ireland, the cost of the Townland and Tenement Valuation, and all matters connected with the annual revision thereof" (*Colonel French*) *Mar* 3, 587; Committee nominated *April* 5

Grand Jury Laws, Revision of, Question, Mr. Dawson; Answer, Mr. Chichester Fortescue *Feb* 22, 156

Irish Militia, Training of the, Questions, Colonel French, Colonel Forde; Answers, Mr. Chichester Fortescue *Feb* 19, 125

Landlord and Tenant, Law of, Questions, Mr. Downing, Mr. Blake; Answers, Mr. Chichester Fortescue, Mr. Gladstone *Feb* 26, 353

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Maynooth, College of, Question, Mr. Newdegate; Answer, Mr. Chichester Fortescue *Mar* 11, 1091; Question, Mr. Sinclair Aytoun; Answer, Mr. Chichester Fortescue *Mar* 16, 1465; Question, Sir George Jenkinson; Answer, Mr. Gladstone *Mar* 18, 1658

Medical and Educational Charges, Question, Mr. Gregory; Answer, Mr. Ayrton *Feb* 25, 303

Municipal Franchise, Question, Mr. M'Clure; Answer, Mr. Chichester Fortescue *Mar* 12, 1185

National Education, Question, Mr. Keown; Answer, Mr. Chichester Fortescue *Mar* 22, 1898

Polling Places, Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue *Mar* 8, 835

Poor Law Commissioners, Question, Mr. W. H. Gregory; Answer, Mr. Chichester Fortescue *Mar* 16, 1466

Poor Law (Ireland)—Area of Rating, Question, Mr. M'Mahon; Answer, Mr. Chichester Fortescue *Feb* 18, 111

Registration (Ireland) Act—Clerks of Unions and Town Clerks, Question, Sir Hervey Bruce; Answer, Mr. Ayrton *Mar* 8, 839

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Under Secretary to the Lord Lieutenant—Appointment of Sir E. R. Wetherall, Question, Observations, Colonel Greville-Nugent; Reply, Mr. Chichester Fortescue; short debate thereon *Mar* 5, 744

Valentia—The Living of, Question, Sir Thomas Bateson; Answer, Mr. Gladstone *Mar* 12, 482

Irish Church

Amount of Endowments, Question, Sir Stafford Northcote; Answer, Mr. Gladstone *Mar* 8, 839

Appropriation of Property, Moved, That there be laid before this House, a Return of all Acts of Parliament whereby property belonging to any person, corporation, or trust has been taken from such person, corporation, or trust without their consent, and without securing to them full compensation for the property so taken, or without offence being charged against such person, corporation, trust or justifying such confiscation (*The Lord Redesdale*) *Mar* 5, 684

Amendt. to leave out from ("consent") and insert ("together with the reasons stated in such Acts for the appropriation of such property") (*The Earl Granville*); after short debate, Amendt. and original Motion withdrawn

Appropriation of Church Property, Question, Mr. Corrance; Answer, Mr. Gladstone *Mar* 11, 1087

Church Property—Ecclesiastical Residences—Private Endowments, Question, Mr. Bentinck; Answer, Mr. Gladstone *Mar* 15, 1351

Irish Church, Property of the, Question Mr. Mellor; Answer, Mr. Gladstone *Mar* 16, 1461

Maynooth, College of, Question, Mr. Newdegate; Answer, Mr. Chichester Fortescue *Mar* 11, 1091; Question, Mr. Sinclair Aytoun; Answer, Mr. Chichester Fortescue *Mar* 16, 1465; Question, Sir George Jenkinson; Answer, Mr. Gladstone *Mar* 18, 1658

Tithe Rent-Charges (Ireland), Motion for, "Return of all the tithe rent-charges sold in the Encumbered and the Landed Estates Courts, Ireland, specifying in each case, 1. Date of Sale: 2. Amount of rent-charge: 3. Whence accruing: 4. Price for which sold: 5. How many times the amount of each rent-charge the price is equal to" (*The Earl of Limerick*) *Mar* 11, 1081; after short debate, Motion agreed to

(See *Property, Appropriation of*)

Irish Church Bill—*Formerly* **Established Church (Ireland) Bill**

(*Mr. Dodson, Mr. Gladstone, Mr. John Bright, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)

c. Acts 39 and 40 Geo. 3, c. 67, 3 and 4 Will. 4, c. 37, 1 and 2 Vic. c. 109, 35 Geo. 3, c. 21 (Ireland), 40 Geo. 3, c. 85 (Ireland), 8 and 9 Vic. c. 25, and Resolution [7th May 1868] relative to the Established Church (Ireland) read; considered in Committee *Mar* 1, 412

Bill ordered, after debate; read 1°* [Bill 27]

Moved, "That the Bill be now read 2°" *Mar* 18, 1662

Amendt. to leave out "now" and add "upon this day six months" (*Mr. Disraeli*); Question proposed, "That 'now,' &c.;" after long debate, Debate adjourned

Debate resumed *Mar* 19, 1791; after long debate, Debate further adjourned

Debate resumed *Mar* 22, 1906; after long debate, Debate further adjourned

Debate resumed *Mar* 23, 2004; after long debate, Question put; A. 368, N. 250; M. 118; main Question put, and agreed to; Bill read 2°

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Jessel, Mr. G., *Dover*
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Johnston, Mr. A., *Essex, S.*
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Johnston, Mr. W., *Belfast*
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Kavanagh, Mr. A. M., *Carlow Co.*
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Kekewich, Mr. S. T., *Devonshire, S.*
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- Criminal Law—Repression of Crime, 199
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- Ireland—Murders, 1649

King, Hon. P. J. Locke, *Surrey, E.*
- Assessed Rates, Leave, 329
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- Real Estate Intestacy, Leave, 956
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- Game Laws (Scotland), Leave, 535
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- Scotland—Poor Law, Motion for a Committee, 522
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Knox, Hon. Colonel W. Stuart, *Dungannon*
- Ireland—Fenianism, 954, 1661
- Parliament—Business of the House, 1093
- Party Processions (Ireland), 2R. 1557

Laird, Mr. J., *Birkenhead*
- Metropolitan Street Tramways, 2R. 551

Land Tax Commissioners' Names Bill
(*Mr. Ayrton, Mr. Chancellor of the Exchequer*)
- c. Ordered; read 1°* *Mar* 16 [Bill 54]
- Read 2°* *Mar* 17

Land, Transfer of
- Question, Mr. T. Chambers; Answer, Mr. Stansfeld *Mar* 23, 2000

Lands Clauses Consolidation Act Amendment Bill (*Mr. Bazley, Mr. Jacob Bright, Mr. Graves, Mr. Baines, Mr. Dixon, Mr. Hibbert*)
- c. Ordered; read 1°* *Mar* 3 [Bill 34]
- Read 2°* *Mar* 11
- Committee*; Report *Mar* 16
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Langton, Mr. W. H. P. Gore-, *Somersetshire, W.*
- Parliament—Bridgwater Election, 2000

Law of Evidence Bill
(*Mr. Denman, Mr. Locke King, Mr. Locke*)
- c. Motion for Leave (*Mr. Denman*) *Feb* 26, 406; Bill ordered; read 1°* [Bill 25]

Lawrence, Mr. Alderman J. C. (Lord Mayor), *Lambeth*
- Post Horse and Carriage Licences Duties, Motion for a Committee, 1527

Lawrence, Mr. Alderman W., *London*
- Endowed Schools, 2R. 1411
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Layard, Right Hon. A. H. (Chief Commissioner of Works), *Southwark*
- Metropolis—Questions, &c.
  - Hyde Park, 485
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Lea, Mr. T., *Kidderminster*
- Endowed Schools, 2R. 1399

Leatham, Mr. E. A., *Huddersfield*
- Parliamentary and Municipal Elections, Instruction to Committee, 1470, 1523

Lefevre, Mr. J. G. Shaw (Secretary to the Board of Trade), *Reading*
- Metropolitan Street Tramways, 2R. 552

Lewis, Mr. J. D., *Devonport*
- Navy—Government Dockyards, Reductions in the, 375

Libel Bill
(*Mr. Baines, Mr. Candlish, Mr. Morley*)
c. Motion for Leave (*Mr. Baines*) *Feb* 23, 276; Bill ordered; read 1° * [Bill 17]
Moved, "That the Bill be now read 2°" *Mar* 17, 1599
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Newdegate*); Question proposed, "That 'now,' &c.;" after short debate, Debate adjourned

Lichfield, Earl of
Habitual Criminals, 1R. 349; Comm. *cl.* 6, 1320; *cl.* 10, 1330, 1332; Amendt. 1333; *cl.* 12, Amendt. 1337

Liddell, Hon. H. G., *Northumberland, S.*
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Valuation of Property, 1660

Life Insurance Companies Bill
(*Mr. S. Cave, Mr. Bazley, Mr. Russell Gurney*)
c. Motion for Leave (*Mr. Stephen Cave*) *Mar* 3, 585; Bill ordered, after short debate; read 1° * [Bill 35]

Lifford, Viscount
Contagious Diseases, 284

Limerick, Earl of
Ireland—Tithe Rent Charges, Motion for Returns, 1081

Lindsay, Colonel R. J. Loyd, *Berkshire*
Army Estimates—Land Forces, 1162

Lloyd, Sir T. D., *Cardigan, &c.*
Emigration of Paupers, 627

Loan Societies
Question, Mr. P. A. Taylor; Answer, Mr. Bruce *Mar* 11, 1086

Local Taxation
Moved, "That an humble Address be presented to Her Majesty, that She will be graciously pleased to issue a Royal Commission to inquire into the present amount, incidence, and effect of Local Taxation, with a view to a more equitable re-adjustment of these burdens" (*Sir Massey Lopes*) *Feb* 23, 223; after long debate, Motion withdrawn; Observations, Sir George Jenkinson *Mar* 2, 534

Locke, Mr. J., *Southwark*
Assessed Rates, Leave, 330
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Metropolitan Street Tramways, 2R. 545, 547
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London, Bishop of
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Oriel College, Oxford, 2R. 803

Lopes, Sir M., *Devonshire, S.*
Local Taxation, Motion for an Address, 223, 271

Lord Napier's Annuity Bill [H.L.]
(*The Duke of Argyll*)
l. Presented; read 1ª * *Feb* 26 (No. 15)
Bill withdrawn *Mar* 8, 932

Lord Napier of Magdala [Salary] Bill
(*Mr. Dodson, Mr. Grant Duff, Mr. Stansfeld*)
c. Resolution reported, and agreed to; Bill ordered; read 1° * *Mar* 16 [Bill 57]
Read 2° * *Mar* 18
Committee *; Report *Mar* 19
Read 3° * *Mar* 22

Lowe, Right Hon. R. (see Chancellor of the Exchequer)

Lowther, Mr. J., *York City*
Assessed Rates, Leave, 326
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Lush, Dr. J. A., *Salisbury*
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Lusk, Mr. Alderman A., *Finsbury*
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Lyveden, Lord
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Habitual Criminals, Comm. *cl.* 17, Amendt. 1344

McArthur, Mr. W., *Lambeth*
Metropolitan Street Tramways, 2R. 554

McClure, Mr. T., *Belfast*
Ireland—Municipal Franchise, 1185

McCombie, Mr. W., *Aberdeenshire, W.*
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MacEvoy, Mr., E., *Meath Co.*
Ecclesiastical Titles Act Repeal, Leave, 186, 412, 488

Macfie, Mr. R. A., *Leith, &c.*
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MCLAREN, Mr. D., *Edinburgh*
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MCMAHON, Mr. P., *New Ross*
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MAGUIRE, Mr. J. F., *Cork City*
Army—3rd West India Regiment, 1789
Metropolitan Street Tramways, 2R. 550

Malt Duties
Question, Mr. M'Combie ; Answer, The Chancellor of the Exchequer *Mar* 4, 625

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
Printworks Regulation, Res. 1540

Marine Mutiny Bill
(*Mr. Dodson, Mr. Childers, Mr. Ayrton*)
c. Ordered ; read 1° * *Mar* 9
Read 2° * *Mar* 18
Committee * ; Report *Mar* 19
Considered * *Mar* 22
Read 3° * *Mar* 23

MARLBOROUGH, Duke of
Education, Public, 815
Parochial Schools (Scotland), 2R. 1771

Marriage with Deceased Wife's Sister Bill
(*Mr. Thomas Chambers, Mr. Morley*)
c. Motion for Leave (*Mr. Thomas Chambers*) *Feb* 25, 331 ; Bill ordered, after short debate

Married Women's Property Bill
(*Mr. Russell Gurney, Mr. Headlam, Mr. Jacob Bright*)
c. Motion for Leave (*Mr. Russell Gurney*) *Feb* 25, 331 ; Bill ordered ; read 1° * [Bill 20]

MARTIN, Mr. P. Wykeham, *Rochester*
Navy—Government Dockyards, Reductions in the, 377

Mauritius—Reported Famine
Question, Mr. R. Fowler ; Answer, Mr. Monsell *Mar* 18, 1657

Medical Officers Superannuation (Ireland) Bill
(*Mr. Brady, Mr. Pim, Mr. Trant Hamilton*)
c. Ordered ; read 1° * *Mar* 11 [Bill 48]

MELLOR, Mr. T. W., *Ashton-under-Lyne*
Ireland—Property of the Irish Church, 1461
Rateable Property (Metropolis), Leave, 183

MELLY, Mr. G., *Stoke-upon-Trent*
* Education in Large Towns, Motion for a Committee, 1189, 1227, 1252

Mercantile Marine — Consolidation of Statutes
Question, Mr. Candlish ; Answer, Mr. Bright *Feb* 22, 156

Merchant Seamen, Diet of
Question, Mr. Gilpin ; Answer, Mr. Bright *Mar* 16, 1463

Metalliferous Mines
Question, Mr. Kinnaird ; Answer, Mr. Knatchbull-Hugessen *Feb* 25, 312

Metropolis
Burlington House, Question, Lord Ronald Gower ; Answer, Mr. Knatchbull-Hugessen *Mar* 15, 1351
Hammersmith Bridge—The University Boat Race, Question, Viscount Bury ; Answer, Mr. Bruce *Mar* 4, 640 ; *Mar* 16, 1467
Hyde Park, Question, Mr. W. Cowper ; Answer, Mr. Layard *Mar* 2, 485
Metropolis Local Management, Question, Mr. Bentinck ; Answer, Mr. Bruce *Feb* 23, 206
Metropolis Local Management Act, Question, Mr. Locke ; Answer, Mr. Knatchbull-Hugessen *Mar* 1, 411
Metropolitan Police, Question, Viscount Enfield ; Answer, Mr. Knatchbull-Hugessen *Mar* 15, 1354
Metropolitan Railway—Palace Yard Station, Question, Mr. Herbert ; Answer, Mr. Layard *Mar* 22, 1898
Palace Yard, Semaphore near, Question, Captain Dawson-Damer ; Answer, Mr. Bruce *Mar* 11, 1088
St. James's Park, Open Spaces of, Question, Sir Henry Hoare ; Answer, Mr. Layard *Mar* 1, 410
Thames Embankment — Proposed Viaduct, Observations, Lord Elcho, Viscount Bury ; Reply, Mr. Layard ; short debate thereon *Feb* 19, 133
Moved, That a Select Committee be appointed, "to inquire into the Roadway and Viaduct proposed to be made on the Thames Embankment from Hungerford Bridge to Wellington Street, Strand, and whether the

[*cont.*

Metropolis—cont.
site might not be more advantageously occupied by some Public Building; also to inquire whether any, and if so what, controlling power over Public Works in the Metropolis is vested in and exercised by any Government Department" (*Lord Elcho*) *Feb* 23, 277; after short debate, Motion agreed to; List of the Committee, 279
Victoria Park, Question, Mr. C. Reed; Answer, Mr. Layard *Mar* 2, 486

Metropolis Gas Bills
Moved, "That the Imperial Gas Bill and the Bills of all other Companies supplying the Metropolis with Gas be referred to the same Committee" (*Mr. Thomas Chambers*) *Feb* 25, 300; after short debate, Motion agreed to

Metropolitan Commons Supplemental Bill (*Mr. Knatchbull-Hugessen, Mr. Secretary Bruce*)
c. Ordered; read 1° * *Mar* 1 [Bill 30]
Read 2° * *Mar* 5
Committee *; Report *Mar* 15
Read 3° * *Mar* 16
l. Read 1ª * *Mar* 18 (No. 35)

Metropolitan Poor Act (1867) Amendment Bill (*Mr. Goschen, Mr. A. Peel, Mr. Ayrton*)
c. Motion for Leave (*Mr. Goschen*) *Mar* 16, 1534; Bill ordered, after debate; read 1° * [Bill 53]

Metropolitan Street Tramways Bill (*by Order*)
c. Moved, "That the Bill be now read 2°" *Mar* 3, 542
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Pease*); after debate, Question put, "That 'now,' &c.;" A. 209, N. 78; M. 131; main Question agreed to; Bill read 2°

Miall, Mr. E., *Bradford*
Irish Church, 2R. 1856

Miller, Mr. J., *Edinburgh*
Annuity Tax (Edinburgh), Leave, 280
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Mitford, Mr. W. T., *Midhurst*
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Money Laws (Ireland) Bill (*Mr. Delahunty, Mr. Blake, Mr. Dawson*)
c. Considered in Committee; a Resolution agreed to *Feb* 23, 273; Bill ordered; read 1° * [Bill 16]

Monk, Mr. C. J., *Gloucester*
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Monsell, Right Hon. W. (Under Secretary of State for the Colonies), *Limerick Co.*
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Montagu, Right Hon. Lord R., *Huntingdonshire*
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Scotland—Faggot Votes in Scotch Counties, 1185; Motion for a Return, 1265, 1273

Moore, Mr. G. H., *Mayo Co*
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Morgan, Mr. G. O., *Denbighshire*
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Morley, Earl of
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Scotland—Salmon Fisheries, Motion for a Return, 1082

Morley, Mr. S., *Bristol*
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Morrison, Mr. W., *Plymouth*
Parliamentary and Municipal Elections, Comm. 1546

Mowbray, Right Hon. J. R., *Oxford University*
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Mundella, Mr. A. J., *Sheffield*
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Municipal Corporations (Metropolis) Bill
(*Mr. Buxton, Mr. Thomas Hughes*)
c. Ordered ; read 1° * *Mar* 8 [Bill 39]

Muntz, Mr. P. H., *Birmingham*
- Bankruptcy, Leave, 795
- Election Expenses, 2R. 567
- Parliament—Bewdley Writ, Amendt. 663
- Supply—Excesses on Grants, 773

Murphy, Mr. N. D., *Cork City*
- Post Horse and Carriage Licences Duties, Motion for a Committee, 1528
- Sale of Liquors on Sunday (Ireland), 2R. Amendt. 991, 995

Mutiny Bill
(*Mr. Dodson, Mr. Secretary Cardwell, The Judge Advocate*)
c. Ordered ; read 1° * *Mar* 12
Read 2° * *Mar* 18
Committee * ; Report *Mar* 19
Read 3° * *Mar* 22

Naval Stores Bill [H.L.]
(*The Earl of Camperdown*)
l. Presented ; read 1ª * *Mar* 15 (No. 33)

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- *Admiralty Clerks, Pay of*, Question, Captain Grosvenor ; Answer, Mr. Childers *Feb* 23, 205
- *Australian Preserved Meats*, Question, Mr. Lusk ; Answer, Mr. Childers *Mar* 2, 487
- *Board of Admiralty, Constitution of the*, Question, Sir James Elphinstone ; Answer, Mr. Childers *Feb* 25, 304
- *Coastguard, The*, Question, Mr. Stewart Hardy; Answer, Mr. Childers *Mar* 4, 628
- *Government Dockyards, Reductions in*, Observations, Sir James Elphinstone ; Reply, Mr. Childers ; short debate thereon *Feb* 26, 374
- *Greenwich Hospital*, Question, Mr. Pease ; Answer, Mr. Childers *Mar* 5, 717
- *Herne Bay Oyster Company and H.M.S. "Buzzard,"* Question, Mr. Pemberton ; Answers, Mr. Bright, Mr. Childers *Mar* 1, 407 ; Question, Mr. Pemberton ; Answer, Mr. Bright *Mar* 8, 838
- *Lord High Admiral, Office of*, Question, Mr. White ; Answer, Mr. Gladstone *Mar* 4, 627
- *Naval Chaplains*, Question, Mr. Eykyn ; Answer, Mr. Childers *Mar* 18, 1654
- *Naval Officers on Foreign Stations, Instructions to*, Question, Colonel Sykes ; Answer, Mr. Childers *Mar* 15, 1353
- *Royal Naval Reserve*, Question, Mr. Hanbury-Tracy ; Answer, Mr. Childers *Mar* 2, 484
- *"Will-of-the-Wisp" Journal and the Admiralty*, Question, Mr. Hardcastle ; Answer, Mr. Childers *Feb* 23, 208

Neville-Grenville, Mr. R., *Somerset, Mid.*
- Army—Yeomanry Cavalry, 158
- Army Estimates—Land Forces, 1168
- Endowed Schools, Leave, 121

Newdegate, Mr. C. N., *Warwickshire, N.*
- Agriculture, Department of, Motion for a Committee, 501
- Contagious Diseases (Animals), 2R. 1038
- Ecclesiastical Titles Act Repeal, Leave, 186, 487
- Ireland—Fenian Conspiracy, 1790
  - Maynooth College, 1091
- Libel, 2R. Amendt. 1604
- Local Taxation, Motion for an Address, 263
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- * Roman Catholic Charities, &c., Motion for a Committee, 384
- University Tests, 2R. 1444, 1451, 1452

New Peers
- *Dec* 15, 1868—The Right Hon. Sir William Page Wood, Knight, Lord Chancellor of Great Britain, Baron Hatherley of Down-Hatherley in the County of Gloucester
  - William Ernest Baron Feversham, Viscount Helmsley of Helmsley and Earl of Feversham of Ryedale in the North Riding of the County of York
- *Feb* 18, 1869—The Earl of Caithness, a Peer of Scotland, Baron Barrogill of the United Kingdom
- *Mar* 2—Edward Anthony John Viscount Gormanston, a Peer of Ireland, created Baron Gormanston of Whitewood in the county of Meath

Sat First
- *Dec* 10, 1868—James Bishop of Hereford
- *Dec* 15—The Earl of Abergavenny, after the death of his Father
  - The Lord Carysfort, after the death of his Father
- *Feb* 11, 1869—The Lord Bishop of Derry and Raphoe
- *Feb* 16—Archibald Campbell Archbishop of Canterbury
  - John Bishop of London
  - William Connor Bishop of Peterborough
  - Richard Chevenix Archbishop of Dublin
- *Feb* 18—The Lord Carleton, after the death of his Father
  - The Duke of Norfolk, after the death of his Father

Representative Peer for Ireland
(Writ and Return.)
- *Feb* 16—The Earl of Rosse, *v.* Henry Baron Farnham, deceased

New Writs Issued

Dec 15, 1868—*For* Greenwich, *v.* Right Hon. William Ewart Gladstone, First Commissioner of the Treasury
For Oxford City, *v.* Right Hon. Edward Cardwell, Secretary of State
For London University, *v.* Right Hon. Robert Lowe, Chancellor of the Exchequer
For Pontefract, *v.* Right Hon. Hugh Culling Eardley Childers, First Commissioner of the Admiralty
For Birmingham, *v.* Right Hon. John Bright, President of the Board of Trade
For London City, *v.* Right Hon. George Joachim Goschen, Commissioner of Poor Law
For Southwark, *v.* Right Hon. Austen Henry Layard, First Commissioner of Works
For Halifax, *v.* James Stansfeld, esquire, Commissioner of the Treasury
For Plymouth, *v.* Sir Robert Porrett Collier, knight, Attorney General
For Exeter, *v.* Sir John Duke Coleridge, knight, Solicitor General
For Bradford, *v.* Right Hon. William Edward Forster, Vice President of the Committee of Council for Education
For Ripon, *v.* Lord John Hay, Commissioner of the Admiralty
For Truro, *v.* Hon. John Cranch Walker Vivian, Commissioner of the Treasury
For Wareham, *v.* John Hales Montagu Calcraft, esquire, deceased
Dec 29—*For* Louth, *v.* Right Hon. Chichester Samuel Parkinson Fortescue, Chief Secretary to the Lord Lieutenant of Ireland
For Clare, *v.* Sir Colman Michael O'Loghlen, baronet, Judge Advocate General
For Kerry, *v.* Viscount Castlerosse, Vice Chamberlain of the Household
For Kildare, *v.* Right Hon. Otho Augustus FitzGerald, Comptroller of the Household
For Westmeath, *v.* Algernon William Fulke Greville, esquire, Groom in Waiting
For Mallow, *v.* Right Hon. Edward Sullivan, Attorney General for Ireland
For Wigtown District of Burghs, *v.* George Young, esquire, Solicitor General for Scotland
For Clackmannan and Kinross, *v.* William Patrick Adam, esquire, Commissioner of the Treasury
For Hawick District of Burghs, *v.* George Otto Trevelyan, esquire, Commissioner of the Admiralty
For Derbyshire (Southern Division), *v.* Sir Thomas Gresley, baronet, deceased

[*cont.*

New Writs Issued—cont.
During Recess
For Renfrew, *v.* Archibald Alexander Speirs, esquire, deceased
Feb 17, 1869—*For* London City, *v.* Charles Bell, esquire, deceased
Feb 18—*For* New Radnor, *v.* Richard Green Price, esquire, Chiltern Hundreds
Feb 19—*For* Wexford Borough, *v.* Richard Joseph Devereux, esquire, void Election
For Westbury, *v.* John Lewis Phipps, esquire, void Election
Mar 4—*For* Bradford, *v.* Henry William Ripley, esquire, void Election
For Bewdley, *v.* Sir Richard Atwood Glass, void Election
Mar 5—*For* Drogheda, *v.* Benjamin Whitworth, esquire, void Election
For Scarborough, *v.* Sir John Vanden Bempde Johnstone, baronet, deceased
Mar 17—*For* Dumfries County, *v.* Sir Sydney Hedley Waterlow, incapable of Sitting and Voting
Mar 22—*For* Hereford City, *v.* George Clive, esquire, and John William Shaw Wyllie, esquire, void Election
For Blackburn, *v.* William Henry Hornby, esquire, and Joseph Feilden, esquire, void Election

New Members Sworn

Dec 29, 1868—Right Hon. William Ewart Gladstone, *Greenwich*
Right Hon. Edward Cardwell, *Oxford City*
Right Hon. Austen Henry Layard, *Southwark*
Right Hon. Robert Lowe, *London University*
Right Hon. Hugh Culling Eardley Childers, *Pontefract*
Right Hon. William Edward Forster, *Bradford*
Lord John Hay, *Ripon*
Hon. John Cranch Walker Vivian, *Truro*
Right Hon. George Joachim Goschen, *London City*
James Stansfeld, the younger, esquire, *Halifax*
Right Hon. John Bright (being one of the people called Quakers, made the Affirmation required by Law), *Birmingham*
Feb 16, 1869—Sir John Duke Coleridge, *Exeter*
William Patrick Adam, esquire, *Clackmannan and Kinross*
George Otto Trevelyan, esquire, *Hawick District of Burghs*
Right Hon. Lord Otho Augustus FitzGerald, *Kildare*
Viscount Castlerosse, *Kerry*
Sir Robert Porrett Collier, *Plymouth*
Right Hon. Henry Austin Bruce, *Renfrew*
George Young, esquire, *Wigtown District of Burghs*
Right Hon. Chichester Samuel Parkinson Fortescue, *Louth*
Right Hon. Edward Sullivan, *Mallow*

[*cont.*

New Members Sworn—cont.
Feb 16—Right Hon. Sir Colman Michael O'Loghlen, baronet, *Clare*
Captain Algernon William Fulke Greville, *Westmeath*
Henry Wilmot, esquire, *Derby County* (*Southern Division*)
Feb 23—Baron Lionel Nathan de Rothschild, *London City*
Mar 1—Marquess of Hartington, *New Radnor*
Charles Paul Phipps, esquire, *Westbury*
Mar 9—Henry James, esquire, *Taunton*
Mar 15—John Cunliffe Pickersgill Cunliffe, esquire, *Bewdley*
Edward Miall, esquire, *Bradford*
Mar 16—Sir Harcourt Johnstone, baronet, *Scarborough*
Richard Joseph Devereux, esquire, *Wexford Borough*
Mar 18—Thomas Whitworth, esquire, *Drogheda*

New Zealand, The War in
Observations, Earl Granville *Feb* 26, 332

Nicol, Mr. J. Dyce, *Kincardineshire*
Hypothec Abolition (Scotland), Leave, 113
India—Bank of Bombay, 1186
Scotland—Poor Law, Motion for a Committee, 527

North, Colonel J. S., *Oxfordshire*
Army—Allowances to Troops in China and Japan, 1463
Army Estimates—Land Forces, 1171
India—Banda and Kirwee Booty, 1462

Northcote, Right Hon. Sir S. H., *Devonshire, N.*
Abyssinian Expedition, 635
Agriculture, Department of, Motion for a Committee, 499
Endowed Schools, Leave, 116; 2R. 1413
India—Bhore Ghaut, Railway Accident at, 485
Native Scholarships, 310
Ireland—Established Church—Value of Endowments, 839
Irish Church, 2R. 1862, 2126

Norwood, Mr. C. M., *Kingston-upon-Hull*
Assessed Rates, 628
Bankruptcy, Leave, 788
Contagious Diseases (Animals), 2R. 1025
Contagious Diseases (Animals) (No. 2), Leave, 680
County Courts, 2R. 1561, 1572

O'Brien, Sir P., *King's Co.*
Army—Horse Guards and the War Office, 1107
Military Appointments, 354
India—Civil Service Examinations, 841
Parliament—Address in Answer to the Speech, 88
Supply—Abyssinian Expedition, Amendt. 645; Motion to report Progress, 646, 648

O'Conor Don, The, *Roscommon Co.*
Ireland—Fenian Convicts, Pardon of, 159

O'Donoghue, The, *Tralee*
Irish Church, 2R. 2048
Party Processions (Ireland), Leave, 122; 2R. 1551

O'Reilly, Mr. M. W., *Longford Co.*
Army Estimates—Land Forces, 1157
India—Military Appointments, 1654
Parliament—Dublin City Election, 832, 1543
Sale of Liquors on Sunday (Ireland), 2R. 989

Oriel College, Oxford, Bill
l. Bill read 2ª, after short debate *Mar* 8, 800

Otway, Mr. A. J. (Under Secretary of State for Foreign Affairs), *Chatham*
Cuba—Imprisonment of a British Subject, 159
Extradition, Law of, 1462
Foreign Office—Messrs. Bidwell and Murray, 1083
Hayti, Civil War in, 837
Portugal—Cassells, Mr., Case of, 126, 127
Spain—"Mermaid," Case of the, 1659
"Tornado," Case of the, 836
United States—"Alabama" Claims, 309

Outlawries Bill
c. Read 1° * *Feb* 16

Oxford, Bishop of
Brazilian Slave Trade, 2R. 477

Pakington, Right Hon. Sir J. S., *Droitwich*
Army—Horse Guards and the War Office, 1109
Army Estimates—Land Forces, 1139, 1140, 1145
Education in Large Towns, Motion for a Committee, 1247
Navy Estimates—Men and Boys, 926, 929
Parliament—Bewdley Writ, 665

Palk, Sir L., *Devonshire, S.*
Cadastral Survey, 1999
Parliament—Address in Answer to the Speech, 109
Real Estate Intestacy, Leave, 967

Palmer, Sir R., *Richmond*
Irish Church, 2R. Motion for Adjournment, 1894, *1906, 2121
Parliament—Bewdley Writ, 667
New Writs, 18
University Tests, 2R. Motion for Adjournment, 1054, 1416, 1428

Parliament
LORDS—
Her Majesty's Proclamation for dissolving the present Parliament, and declaring the Calling of another, dated Nov. 11, 1868
Her Majesty's Proclamation in Order to the Electing and Summoning the Sixteen Peers of Scotland, dated Nov. 11, 1868
List of Ministry (Mr. Disraeli's)
List of Ministry (Mr. Gladstone's)
Roll of the Lords
List of Members Returned

[cont.

Parliament—*cont.*

Meeting of the New Parliament—The Parliament opened by Commission *Dec* 10, 1

Speaker of the House of Commons presented and approved *Dec* 11, 11

A Speech of the Lords Commissioners *Dec* 15, 14

House adjourned to Thursday, Feb 11

Her Majesty's Most Gracious Speech delivered by The Lord Chancellor *Feb* 16, 23

An Address to Her Majesty thereon moved by The Earl of Carysfort (the Motion being seconded by The Lord Monck), and, after short debate, agreed to, *Nemine Dissentiente Feb* 16, 27

Address to be presented to Her Majesty by the Whole House *Feb* 18, 104

Order [*Feb* 18] discharged; Address to be presented by the Lords with White Staves *Feb* 22, 153

Public Business, Question, Lord Chelmsford; Answer, The Lord Chancellor; short debate thereon *Feb* 18, 95

Her Majesty's Answer to the Address reported *Feb* 25, 283

Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 16

Committee for Privileges—appointed *Feb* 16

Sub-Committee for the Journals — appointed *Feb* 16

Appeal Committee—appointed *Feb* 16

Receivers and Tryers of Petitions—appointed *Feb* 16

Chairman of Committees—Observations, Lord Redesdale *Feb* 25, 284

Easter Holydays—Notice—Hudson's Bay Territory — Question, Lord Cairns; Answer, Earl Granville *Mar* 8, 798

Business of the House

Bills relating to Ireland—Question, The Marquess of Clanricarde; Answer, Earl Granville *Feb* 23, 198

Despatch of Business in Parliament—Joint Committee—Moved, "That a Select Committee be appointed to consider whether any facilities can be given for the despatch of business in Parliament, especially in regard to the relations of the two Houses" (*The Earl Granville*) *Mar* 15, 1309; Motion agreed to; Select Committee appointed; List of the Committee; Message sent to the Commons to acquaint them therewith

Message from the Commons that they have appointed a Select Committee of six Members to join with the Select Committee appointed by this House *Mar* 18, 1618

Message from the Commons [March 18]; Select Committee to meet forthwith *Mar* 18, 1787

Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee appointed; List of the Committee *Feb* 22, 153

Parliament—*cont.*

Private Bills

Ordered, That this House will not receive any petition for a Private Bill after Monday the 22nd of March next [and other Orders] *Feb* 25, 300

Standing Order Committee on, appointed; List of the Committee *Feb* 26, 351

All petitions relating to Standing Orders which shall be presented during the present Session referred to the Standing Order Committee, unless otherwise ordered *Feb* 26, 351

Opposed Private Bills, Committee appointed and nominated; List of the Committee *Feb* 26, 351

Ordered, "That the time limited by the order of the 25th of February last for the reception of petitions for Private Bills be extended to the first sitting day after the recess at Easter" (*The Chairman of Committees*) *Mar* 11, 1054

Standing Order No. 179. Sects. 1 and 2 suspended; and the time for depositing petitions praying to be heard against Private Bills, which would otherwise expire during the adjournment of the House, extended to the first day on which the House shall sit after the recess at Easter *Mar* 18, 1618

COMMONS—

Meeting of the New Parliament *Dec* 10

The House went up to the House of Peers:—and being returned,

Choice of a Speaker—The Right Honourable John Evelyn Denison unanimously called to the Chair

Mr. Speaker reported Her Majesty's Approval, and took the Oath, with other Members *Dec* 11

The Queen's Speech reported; Resolution for an humble Address thereon moved by Mr. H. Cowper (the Motion being seconded by Mr. Mundella) *Feb* 16, 52; after debate, Motion agreed to; and a Committee appointed to draw up the said Address

Report of Address brought up, and agreed to; to be presented by the Whole House *Feb* 18, 106

Order discharged (*Mr. Gladstone*); Address to be presented by Privy Councillors *Feb* 22, 164

Her Majesty's Answer to the Address reported *Feb* 25, 308

Kitchen and Refreshment Rooms (*House of Commons*)—Standing Committee appointed and nominated *Feb* 17, 94

Printing — Select Committee appointed and nominated *Feb* 18, 123

Public Petitions—Select Committee appointed and nominated *Feb* 19, 152

Selection—Committee of Selection nominated; List of the Committee *Feb* 23, 279

Public Accounts—Committee nominated; List of the Committee *Mar* 1, 470

Business of the House, Question, Mr. Fawcett; Answer, Mr. Gladstone; short debate thereon *Mar* 11, 1092

Despatch of Business in Parliament—Joint Committee, Observations, Mr. Gladstone *Mar* 15, 1459

PARLIAMENT—*cont.*

Message from the Lords *Mar* 15
Lords' Message considered *Mar* 16, 1560
Moved, "That a Select Committee of Six Members be appointed to join with the Select Committee appointed by the House of Lords, as mentioned in their Lordships' Message of Monday 15th March, to consider whether any facilities can be given for the Despatch of Business in Parliament, especially in regard to the relations of the two Houses" (*Mr. Gladstone*); Motion agreed to; List of the Committee
Message to the Lords
Message from the Lords
Lords' Message considered *Mar* 18, 1759; Orders made thereon

Easter Recess, Question, Mr. Hardcastle; Answer, Mr. Gladstone *Feb* 22, 157; Observations, Mr. Ayrton *Mar* 3, 556; Question, Mr. Hadfield; Answer, Mr. Gladstone *Mar* 9, 955

Privilege and Order
Committee for Privileges—appointed *Feb* 16
Standing Orders—Select Committee nominated; List of the Committee *Feb* 23, 279
Private Business—Railway Bills, Resolutions (*Mr. Dodson*) *Feb* 18, 105; after short debate, agreed to
Resolutions *Feb* 19, 123
Rules of Debate—University Tests Bill, Questions, Mr. Bentinck, Mr. Beresford Hope; Answer, Mr. Speaker *Mar* 16, 1467

Parliamentary and Municipal Elections
Moved, That a Select Committee be appointed, "to inquire into the present modes of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom" (*Mr. Secretary Bruce*) *Mar* 4, 648; after short debate, Motion agreed to; List of the Committee, 663
Nomination Days, Question, Mr. Brydges Willyams; Answer, Mr. Bruce *Mar* 9, 952
Moved, That it be an Instruction to the Select Committee to take into consideration the various methods of taking Votes by Ballot which are at present in use in portions of the British Empire and in other Countries, together with any modifications thereof which may be suggested, and to report upon the most efficient and convenient system of Balloting" (*Mr. Leatham*) *Mar* 16, 1470; after long debate, Motion withdrawn
Moved, "That the Select Committee consist of twenty-one Members" (*Mr. Bruce*) *Mar* 16, 1546; after short debate, Motion agreed to; List of the Committee

Parliamentary Proceedings Bill [H.L.]
(*The Marquess of Salisbury*)
l. Presented; read 1ª * *Feb* 22 (No. 7)
Read 2ª, after debate *Mar* 4, 588
Question, The Marquess of Salisbury; Answer, Earl Granville; short debate thereon *Mar* 8, 799

Parochial Schools (Scotland) Bill
(*The Duke of Argyll*)
l. Presented; read 1ª *Feb* 25, 284 (No. 11)
Read 2ª, after debate *Mar* 18, 1759

Party Processions (Ireland) Bill
(*Mr. William Johnston, The O'Donoghue*)
c. Motion for Leave (*Mr. W. Johnston*) *Feb* 18, 122, Bill ordered; read 1° * [Bill 6]
Moved, "That the Bill be now read 2°" *Mar* 16, 1547; after short debate, Moved, "That the Debate be now adjourned" (*Mr. Stacpoole*); A. 113, N. 70; M. 43; Debate adjourned

Patent Laws
Question, Mr. James Howard; Answer, The Attorney General *Feb* 26, 356

PATTEN, Right Hon. Colonel J. W., *Lancashire, N.*
Ireland—Wetherall, Sir E. R., Appointment of, 751, 753, 754, 755, 756
Salmon Fisheries (Ireland), Leave, 1545

PEASE, Mr. J. W., *Durham S.*
Metropolitan Street Tramways, 2R. Amendt. 542
Navy—Greenwich Hospital, 717
Rateable Property, Leave, 185
Revenue Officers, 2R. Amendt. 1576

PEEK, Mr. H. W., *Surrey, Mid.*
False Weights and Measures, &c. 736

PELL, Mr. A., *Leicestershire, S.*
Agriculture, Department of, Motion for a Committee, 500

PEMBERTON, Mr. E. L., *Kent, E.*
Herne Bay Oyster Company, 407, 838

PETERBOROUGH, Bishop of
China—Missionaries in, 942

Pharmacy Act (1868) Amendment Bill
(*Lord Robert Montagu, Sir Graham Montgomery*)
c. Act read, considered in Committee; a Resolution agreed to *Mar* 4, 683; Bill ordered; read 1° * [Bill 37]

PIM, Mr. J., *Dublin City*
Post Office—Mail Packet Contracts, Motion for a Committee, 1307
Registration of Voters, Motion for a Committee, 984

POCHIN, Mr. H. D., *Stafford Bo.*
False Weights and Measures, &c. 728

PLAYFAIR, Dr. L., *Edinburgh and St. Andrew's Universities*
University Tests, 2R. 1438

POLLARD-URQUHART, Mr. W., *Westmeath Co.*
False Weights and Measures, &c. 727
Income Tax, Res. 1531
Local Taxation, Motion for an Address, 253
Scotland—Poor Law, Motion for a Committee, 522

Poor Law
Assessed Rates Bill, Question, Mr. C. Forster; Answer, Mr. Goschen *Mar* 8, 842
Birmingham Board of Guardians, Question, Mr. Dixon; Answer, Mr. Goschen *Mar* 22, 1901
District Asylums, Question, Mr. W. H. Smith; Answer, Mr. Goschen *Mar* 22, 1899
District Medical Officers (*Birmingham*), Question, Mr. Bromley-Davenport; Answer, Mr. Goschen *Mar* 11, 1089
Fever Patients, Conveyance of, Question, Captain Dawson-Damer; Answer, Mr. Bruce *Mar* 1, 411; Question, Captain Dawson-Damer; Answer, Mr. Goschen *Mar* 4, 626
Gilbert Unions, Question, Mr. Mitford; Answer, Mr. Goschen *Mar* 4, 626
Ireland—Medical and Educational Charges, Question, Mr. Gregory; Answer, Mr. Ayrton *Feb* 25, 303
Mines, Rating of, Question, Mr. St. Aubyn; Answer, Mr. Goschen *Mar* 1, 407
Paupers, Emigration of, Question, Sir Thomas Lloyd; Answer, Mr. Goschen *Mar* 4, 627
Payment of Rates by Owners, Question, Mr. Liddell; Answer, Mr. Goschen *Mar* 1, 409
Poor Law Amendment Bill, Question, Mr. Kavanagh; Answer, Mr. M'Mahon *Mar* 2, 484
Poor Law Commissioners, Question, Mr. W. H. Gregory; Answer, Mr. Chichester Fortescue *Mar* 16, 1466
Poor Law (*Ireland*)—*Area of Rating*, Question, Mr. M'Mahon; Answer, Mr. Chichester Fortescue *Feb* 18, 111
Poor Law (*Scotland*)—*Assessments*, Question, Mr. Craufurd; Answer, The Lord Advocate *Mar* 12, 1188
Poor Law (*Scotland*), Moved, "That a Select Committee be appointed to inquire into the operation of the Poor Law in Scotland; and whether any and what Amendments should be made therein" (*Mr. Craufurd*) *Mar* 2, 513; after debate, Motion agreed to; List of the Committee, 533
Moved, "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members" (*Mr. Craufurd*) *Mar* 10; debate arising; debate adjourned till To-morrow
Order read, for resuming Adjourned Debate on Question [10th March], "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members" (*Mr. Craufurd*); Question again proposed; Debate resumed *Mar* 17, 1617; Motion withdrawn; Select Committee to consist of Twenty Members; List of the Committee
Poor Rates, Exemptions from, Question, Mr. Wheelhouse; Answer, Mr. Goschen *Feb* 26, 356
Poor Relief Assessment, Question, Mr. Gourley; Answer, Mr. Goschen *Mar* 2, 485
[*cont.*

Poor Law—cont.
Rates and Taxes, Collection of, Question, Sir John Simeon; Answer, Mr. Goschen *Mar* 8, 839
Sick Poor Asylums, Question, Mr. M'Cullagh Torrens; Answer, Mr. Goschen *Mar* 9, 954
Woods, Rating of, Question, Mr. Kekewich; Answer, Mr. Goschen *Mar* 1, 411

Poor Law (Ireland) Amendment Bill
(*Mr. M'Mahon, Mr. Blake, Mr. Downing, Mr. Stacpoole*)
c. Ordered; read 1°* *Feb* 24 [Bill 18]

PORTMAN, Lord
Habitual Criminals, 2R. 691

Portugal—Case of Mr. J. Cassells, a British Subject
Question, Mr. Winterbotham; Answer, Mr. Otway *Feb* 19, 125

Post Horse and Carriage Licences Duties
Acts read:—Moved, "That this House will immediately resolve itself into a Committee to consider the said Acts" (*Mr. Alderman W. Lawrence*) *Mar* 16, 1523; after short debate, Motion withdrawn

Post Office
American Mail Contracts, Question, Mr. Bazley; Answer, The Marquess of Hartington *Mar* 5, 716
Book Post, &c., Question, Mr. Stapleton; Answer, The Marquess of Hartington *Mar* 12, 1188; Question, Mr. Macfie; Answer, The Marquess of Hartington *Mar* 22, 1895
Electric Telegraphs, Question, Mr. Samuelson; Answer, The Marquess of Hartington *Mar* 19, 1787
Foreign Mails, Question, Mr. Alderman W. Lawrence; Answer, Mr. Ayrton *Feb* 19, 124
Inman Mail Service Contract, Question, Mr. Graves; Answer, The Chancellor of the Exchequer *Mar* 12, 1186
Life Assurances, Question, Mr. Wells; Answer, The Marquess of Hartington *Mar* 12, 1188
Mail Packet Contracts, Amendt. on Committee of Supply *Mar* 12, To leave out from "That" and add "the Contracts entered into by the Postmaster General with Messrs. Cunard and Co. and Mr. William Inman for the conveyance of Mails from this Country to the United States be referred to a Select Committee of this House" (*Mr. Seely*), 1281; Question proposed, "That the words, &c.;" after debate, Question put, A. 86, N. 115; M. 29; words added; main Question, as amended, agreed to
United States, Mails to the, Questions, Mr. Crawford, Mr. Sclater-Booth; Answers, The Marquess of Hartington *Mar* 16, 1464
Stornoway, Question, Mr. Grieve; Answer, The Marquess of Hartington *Mar* 22, 1900

POTTER, Mr. E., *Carlisle*
Printworks Regulation, Res. 1540

Potter, Mr. T. Bayley, *Rochdale*
Foreign Office—Messrs. Bidwell and Murray, 1083

Price, Mr. W. E., *Tewkesbury*
Army—Militia Quartermasters, 630

Printworks Regulation
Moved, "That, in the opinion of this House, the hours of toil of the women and children employed in Printworks ought to be assimilated to the hours of toil of the women and children employed in factories" (*Mr. Charley*) *Mar* 16, 1535; after short debate, Motion withdrawn

Property, Appropriation of
Moved, That there be laid before this House, a Return of all Acts of Parliament whereby property belonging to any person, corporation, or trust has been taken from such person, corporation, or trust without their consent, and without securing to them full compensation for the property so taken, or without offence being charged against such person, corporation, or trust justifying such confiscation (*The Lord Redesdale*) *Mar* 5, 684
Amendt. to leave out from ("consent") and insert ("together with the reasons stated in such Acts for the appropriation of such property") (*The Earl Granville*); after short debate, Amendt. and original Motion withdrawn

Raikes, Mr. H. C., *Chester*
Endowed Schools, 2R. 1415
Ireland—Representation of, 357
Order of St. Michael and St. George, 1348
University Tests, 2R. Motion for Adjournment, 1451

Railways
Railway Accidents, Questions, Observations, Mr. Selwin-Ibbetson *Mar* 5, 737—*at the Swindon Station*, Question, Mr. Cadogan; Answer, Mr. Bright *Mar* 18, 1656
Communication between Railway Passengers and Guard, Question, Mr. H. B. Sheridan; Answer, Mr. Bright *Mar* 22, 1903
(See *India—Parliament—Ireland*)

Rateable Property Bill
(*Mr. Goschen, Mr. Arthur Peel, Mr. Ayrton*)
c. Motion for Leave (*Mr. Goschen*) *Feb* 22, 185; Bill ordered, after short debate; read 1°* [Bill 11]
Question, Mr. Liddell; Answer, Mr. Goschen *Mar* 18, 1660

Rateable Property (Metropolis) Bill
(*Mr. Goschen, Mr. Arthur Peel, Mr. Ayrton*)
c. Motion for Leave (*Mr. Goschen*) *Feb* 22, 170; Bill ordered, after debate; read 1°* [Bill 12]

Rathbone, Mr. W., *Liverpool*
Bankruptcy, Leave, 790
Registration of Voters, Motion for a Committee, 975

Read, Mr. C. S., *Norfolk, E.*
Agricultural Statistics, 2001, 2002
Contagious Diseases (Animals), 2R. 1025
Local Taxation, Motion for an Address, 236

Real Estate Intestacy Bill
(*Mr. Locke King, Mr. Bouverie, Mr. Hinde Palmer, Mr. Headlam*)
c. Motion for Leave (*Mr. Locke King*) *Mar* 9, 956; Bill ordered, after short debate
Read 1°* *Mar* 11 [Bill 45]

Redesdale, Lord
Appropriation of Property, Motion for a Return, 684, 690, 691
Chairman of Committees, 284
Oriel College, Oxford, 2R. 804
Parliamentary Proceedings, 2R. 596, 799

Reed, Mr. C., *Hackney*
Metropolis—Victoria Park, 486
Tasmania—Public Worship, 1085

Registration of Voters
Moved, "That a Select Committee be appointed, to inquire into the Laws affecting the Registration of persons entitled to vote in the Election of Members to serve in Parliament for Boroughs in England and Wales, and to report whether any and what amendments are required therein" (*Mr. Harcourt*) *Mar* 9, 970; after short debate, Motion agreed to; List of the Committee, 984

Representation of the People Act (1867) Amendment Bill
(*Mr. Henry B. Sheridan, Mr. Gourley*)
c. *The Ratepaying Clauses*, Question, Mr. Charles Forster; Answer, Mr. Gladstone *Feb* 19, 127—*Registration of Householders*, Question, Mr. Eustace Smith; Answer, Mr. Gladstone *Feb* 22, 157
Motion for Leave (*Mr. H. B. Sheridan*) *Mar* 2, 510; Bill ordered, after short debate
Read 1°* *Mar* 10 [Bill 43]

Representative Peers (Scotland and Ireland) Bill
(*Mr. Stapleton, Colonel French, Colonel Stepney*)
c. Motion for Leave (*Mr. Stapleton*) *Mar* 9, 984; Bill ordered, after debate; read 1°* [Bill 41]

Revenue Officers Bill
(*Mr. Monk, Sir Harry Verney, Mr. Craufurd*)
c. Motion for Leave (*Mr. Monk*) *Feb* 23, 271; Bill ordered, after debate; read 1°* [Bill 14]
Moved, "That the Bill be now read 2°" *Mar* 17, 1573
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Pease*); after debate, Question put, "That 'now,' &c.;" A. 88, N. 207; M. 119; words added; main Question, as amended, agreed to; Bill put off for six months

RICHARD, Mr. H., *Merthyr Tydfil*
Irish Church, 2R. 1967

Rivers, Pollution of
Question, Mr. James Howard; Answer, Mr. Bruce *Feb* 23, 202

Roman Catholic Charities and Registration of Burials
Moved, "That a Select Committee be appointed to inquire into the operation of the Act 23 and 24 Vic. c. 134, being an Act to amend the Law regarding Roman Catholic Charities, and into that of any Acts passed subsequently to the passing of the above mentioned Act, which may or may have been held to modify or alter the operation of the above Act, or which relate to the subject matter thereof; and into the operation of the Act 52 Geo. 3, c. 146, and into that of the 27 and 28 Vic. c. 97, which Acts relate to the Registration of Burials" (*Mr. Newdegate*) *Feb* 26, 384; Question put, A. 46, N. 85; M. 39

ROMILLY, Lord
Habitual Criminals, 2R. 692; Comm. *cl.* 10, Amendt. 1329, 1330, 1332; *cl.* 14, 1341; Amendt. 1342

Royal Patriotic Fund Office
Question, Mr. Locke King; Answer, Mr. Cardwell *Mar* 16, 1465

RUSSELL, Earl
Bankruptcy, 102
Brazilian Slave Trade, Comm. 623
Education, Public, 805
Parliamentary Proceedings, 2R. 605

RUSSELL, Colonel Sir W., *Norwich*
Army Estimates—Land Forces, 1167

RYLANDS, Mr. P., *Warrington*
Army Estimates—Land Forces, 1171
Government Contractors, 482
Parliament — Dumfriesshire Election, Motion for a Committee, 195

ST. AUBYN, Mr. J., *Cornwall, W.*
County Courts, 2R. 1569
Mines, Rating of, 407
Stannaries, Leave, 399

ST. DAVID'S, Bishop of
China—Missionaries in, 941

St. Michael and St. George, Order of
Question, Mr. Raikes; Answer, Mr. Monsell *Mar* 15, 1348

Sale of Liquors Bill
(*Sir Wilfrid Lawson, Mr. Bazley, Mr. Dalway*)
c. Acts read; considered in Committee; a Resolution agreed to; Bill ordered; read 1°* *Feb* 22 [Bill 10]

Sale of Liquors on Sunday (Ireland) Bill
(*Mr. O'Reilly, Mr. Pim, Mr. Peel Dawson*)
c. Ordered; read 1°* *Mar* 1 [Bill 29]
Moved, "That the Bill be now read 2°" *Mar* 9, 989
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Murphy*); Question proposed, "That 'now,' &c.;" after short debate, Amendt. withdrawn; main Question agreed to; Bill read 2°

SALISBURY, Marquess of
Bankruptcy, 96
Education, Public, 818
Governor General of India, 2R. 1070
Habitual Criminals, 1R. 348; Comm. *cl.* 4, 1313, 1316; *cl.* 10, 1333; *cl.* 13, 1338; *cl.* 14, 1340, 1342
Parliamentary Proceedings, 2R. 588, 617, 620, 799

Salmon Fisheries (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Chichester Fortescue*)
c. Motion for Leave (*Mr. Attorney General for Ireland*) *Mar* 16, 1543; Bill ordered, after short debate; read 1°* [Bill 56]
Read 2°* *Mar* 19
Committee*; Report *Mar* 22

Salmon Fishery Legislation
Question, Mr. Liddell; Answer, Mr. Knatchbull-Hugessen *Mar* 23, 2003

SAMUDA, Mr. J. D'A., *Tower Hamlets*
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Education, Question, Sir Edward Colebrooke; Answer, The Lord Advocate *Mar* 22, 1904

Faggot Votes in Scotch Counties, Amendt. on Committee of Supply *Mar* 12, To leave out from "That," and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Return, in a tabulated form, from each county in Scotland showing the total number of non-resident proprietors qualified to vote for a Member of Parliament, distinguishing in separate columns the number of those whose property in such county as shown by the Valuation Roll is of less annual value than £100, £50, £20, and £14, and also those at and under £10 respectively; showing the nature of the qualification whether Fiars, Life Renters, Superiors, or Feuars; also the number of such County Voters resident within any Royal or Parliamentary Burgh within each county respectively" (*Mr. Craufurd*), 1253; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

Faggot Voting in Peeblesshire, Petition presented (*Sir Edward Colebrooke*); Questions, Sir Graham Montgomery; Answer, Mr. Speaker *Mar* 12, 1185

Law of Hypothec in, Moved, That a Select Committee be appointed to inquire into the operation of the Law of Hypothec in Scotland (*The Earl of Airlie*) *Mar* 12, 1178; after short debate, Motion agreed to; List of the Committee, 1184; Question, The Duke of Cleveland; Answer, The Earl of Airlie *Mar* 18, 1652

Poor Law (*Scotland*)—*Assessments*, Question, Mr. Craufurd; Answer, The Lord Advocate *Mar* 12, 1188

Poor Law (*Scotland*), Moved, "That a Select Committee be appointed to inquire into the operation of the Poor Law in Scotland; and whether any and what Amendments should be made therein" (*Mr. Craufurd*) *Mar* 2, 513; after debate, Motion agreed to; List of the Committee, 533

Moved, "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members" (*Mr. Craufurd*) *Mar* 10; debate arising; debate adjourned till To-morrow

Order read, for resuming Adjourned Debate on Question [10th March], "That the Select Committee on Poor Law (Scotland) do consist of Nineteen Members" (*Mr. Craufurd*); Question again proposed; Debate resumed *Mar* 17, 1617; Motion withdrawn; Select Committee to consist of Twenty Members; List of the Committee

Portpatrick Harbour and Lighthouse, Question, Lord Garlies; Answer, Mr. Bright *Feb* 18, 110; Question, Sir John Hay; Answer, Mr. Ayrton *Mar* 18, 1656; Observations, Lord Garlies *Feb* 26, 367; Reply, Mr. Bright, 371

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